

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17162 of 2024**

Manjay Sahani Son of Bhajju Sahani Resident of Village- Salha (Ramjan Nagar) Ward No. 2 P.S.- Chak Mehasi, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Samastipur.
2. The Sub Divisional Office, Samastipur.
3. The Circle Officer, Kalyanpur, Samastipur.
4. Jay Ram Sahani, Son of Nand Lal Sahani, Resident of Village- Ward No. 2, Ramjan Nagar, Kakungan (Gakaunjar), P.S.- Chakmehasi, District- Samastipur.

... .. Respondent/s

**Appearance :**

|                      |   |                                   |
|----------------------|---|-----------------------------------|
| For the Petitioner/s | : | Mr. Manoj Kumar, Advocate         |
| For the State        | : | Mr. S.D. Yadav, AAG-9             |
|                      |   | Mr. Anil Kumar Verma, AC to AAG-9 |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      14-11-2024                      Though the present writ petition has been filed for setting aside the notice dated 03.04.2024, issued by the Circle Officer, Kalyanpur, i.e. the respondent no.3, in connection with Encroachment Case No.01 of 2022-23, however, at the outset, the learned counsel for the petitioner submits that since the said notice has been issued under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the “Act, 1956”), the petitioner be granted liberty to file his objection before the respondent no.3, nonetheless, the respondent no.3 be also directed to consider the same in accordance with law and pass the final order under Section 6(1) of the Act, 1956.



2. Having regard to the limited prayer made by the petitioner in the present writ petition, I deem it fit and proper to grant liberty to the petitioner to file his objection before the respondent no.3 in the aforesaid Encroachment Case No.01 of 2022-23, within a period of four weeks from today, which shall be considered by the respondent no.3, in accordance with law and the final order under Section 6(1) of the Act, 1956 shall be passed forthwith.

3. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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