

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18938 of 2024

=====

Lakshman Singh Son of Siwbachan Singh, Resident of Village- Patkhauliya,
Patkhaulia, P.O.- Itarhian, P.S.- Dhansoi, District- Buxar, Bihar 802117.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna, Bihar.
2. The Collector, Buxar.
3. The Sub Divisional Officer, Buxar.
4. The Circle Officer, Rajpur, Buxar.
5. Mahavir Singh @ Mahavir Yadav, S/o Ram Nivas Singh @ Ramiwas Yadav, R/o Village- Patkhauliya, P.S.- Dhansoin, District- Buxar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kant, Adv. Mr.Manish Kumar, Adv. Mr.Ashish Anand, Adv.
For the Respondent/s	:	Mr.Government Pleader (2) Mr.Asit Kumar Jha, AC to GP-2

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-12-2024 1. Though the present writ petition has been filed for quashing the notice dated 01.11.2024, issued by the Circle Officer, Rajpur, District-Buxar i.e. the respondent no.4, whereby and whereunder the petitioner has been asked to file his objection, in connection with Encroachment Case No.10 of 2022-23, however, it is submitted by the learned counsel for the petitioner that the petitioner has already filed his objection and even this Court, by an earlier order dated 21.09.2024, passed in C.W.J.C. No.14270 of 2024, has directed the respondent no.4 to pass the final order under Section 6(1) of



the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act, 1956'), in connection with Encroachment Case No.10 of 2022-23, only after hearing the affected parties, hence it is submitted that the petitioner be granted liberty to file a fresh objection, however, some protection be granted during the interregnum period.

2. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file his objection within a period of four weeks from today, to the aforesaid encroachment proceedings in question, which shall be considered by the Circle Officer, Rajpur, District-Buxar, in accordance with law and without being prejudiced by the earlier order of this Court dated 21.09.2024 and then the final order under Section 6(1) of the Act, 1956, shall be passed forthwith and till then, no coercive action shall be taken against the petitioner.

3. It is needless to state that in case no objection is filed within a period of four weeks from today, the Circle Officer, Rajpur, District-Buxar, shall nonetheless proceed ahead to pass the final order under Section 6(1) of the Act, 1956, in connection with Encroachment Case No.10 of 2022-23, ex-parte.



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

(Mohit Kumar Shah, J)

sonal/-

U			
---	--	--	--

