

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.633 of 2024

-
1. Lal Bahadur Singh Son of Late Ganga Prasad Singh, Resident of Mohalla-Purani Sahebganj, Naya Tola (Sant Nagar), Sahebganj, PS - Sahebganj, District- Bhagalpur.
 2. Shambhu Narayan Singh, Son of Bhagwan Singh, Resident of Mohalla-Kishandaspur, P.S.- Kahagaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Bhagalpur.
2. The Collector, Bhagalpur.
3. The Deputy Collector Land Reforms, Kahalgaon, Bhagalpur.
4. The Sub-Divisional Officer, Kahalgaon, Bhagalpur.
5. The Circle Officer, Kahalgaon, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Navjot Yeshu
For the Respondent/s	:	Mr. Standing Counsel (15) Mr. Mithlesh Kr. Singh Ac to Sc 15

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-04-2024 This application has been filed for quashing the order dated 18.08.2023/18.10.2023 passed in Encroachment Case No. 03/2023-24 by respondent no. 05.

2. Petitioner and others had filed their show -cause through post on 22.08.2023.

3. The impugned order has been passed on 18.08.2023/18.10.2023. The impugned order is a cryptic order passed by the Circle Officer, Kahalgaon, Bhagalpur in which there is no consideration of the show cause filed by the petitioner and others and in a few line order, the Circle Officer



has said that there is encroachment.

4. This application is allowed and the order dated 18.08.2023/18.10.2023 passed by the Circle Officer, Kahalgaon, Bhagalpur in Encroachment Case No. 03 of 2023-24 is hereby quashed.

5. The matter is remitted back to the Circle Officer. The Circle Officer, Kahalgaon, Bhagalpur is directed to hold fresh hearing in the matter.

6. In the show-cause, the petitioner has prayed for fresh measurement in his presence. The Circle Officer, Kahalgaon, Bhagalpur will get the spot measured afresh in presence of the affected parties and thereafter hear them and then only he will pass a fresh order.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

