

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22271 of 2018

1. Arman Mian @ Usman Miyan Son of Julum Mian
2. Rasid Mian Son of Shaheed Mian
Both are resident of village-Raghunath Pur, Police Station-Majhauiliya,
District-West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The Sub Divisional Magistrate, West Champaran at Bettiah.
4. The Circle Officer, Majhauiliya Circle, District-West Champaran.
5. The Circle Inspector Majhauiliya Circle, District-West Champaran at Bettiah.
6. The Officer Incharge, Majhauiliya Police Station, District-West Champaran.
7. Asha Devi Wife of Ram Ayodhya Mukhiya Resident of Village-Raghunath Pur, Police Station-Majhauiliya, District-West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No.-7
For the State : Mr.Md. Khurshid Alam- Aag12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-09-2024 Though the present writ petition has been filed for quashing the notice dated 03.08.2018, issued by the Circle Officer, Majhauiliya, District-West Champaran, in connection with Encroachment Case No.01 of 2018-19, however, the learned counsel for the respondent-State has submitted, by referring to the counter affidavit filed in the present case, that the Circle Officer, Majhauiliya has already passed the final order, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 on 31.08.2018, hence, in case the petitioners are aggrieved



by the same, they may file appropriate appeal, under Section 11 of the Bihar Public Land Encroachment Act, 1956.

2. Considering the aforesaid facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioners to challenge the final order dated 31.08.2018, passed by the Circle Officer, Majhauriya, District-West Champaran, in connection with Encroachment Case No.01 of 2018-19, by filing appropriate appeal, under Section 11 of the Bihar Public Land Encroachment Act, 1956, if so advised.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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