

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.365 of 2024

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Dhanilal Prasad Son of Late Dwarika Mahto Resident of Village- Ahwar Sheikh, Tola- Jagiraha, P.S- Majhaulia, 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 Collector, West Champaran, Bettiah.
3. The Sub-Divisional Officer, Bettiah, Sadar Bettiah, District- West Champaran.
4. The Circle Officer (Anchal Adhikari) Majhaulia Block, P.S- Majhaulia, District- West Champaran.
5. The Officer-in-charge Majhaulia, Police Station- Majhaulia, District- West Champaran.
6. Dhruv Prasad, Son of Yogendra Prasad, Resident of Village- Ahwar Sheikh, Tola- Jagiraha, P.S- Majhaulia, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Digvijay Kumar Ojha, Advocate
For the Respondent/s	:	Mr. Anirban Kundu Sc 24
		Mr. Sudhanshu Shekhar Ac to Sc 24

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-04-2024 Heard the learned counsel for the parties.

2. This application has been filed for quashing the order dated 14.08.2023 passed in Land Encroachment Appeal RM No. 54/2022-23 by the Collector, West Champaran, Bettiah.

3. Even if the house of the petitioner has been demolished still the right of appeal of the petitioner is not defeated.

4. The Land Encroachment Appeal RM No. 54/2022-23 has been held to be infructuous by the Collector,



West Champaran at Bettiah by his order dated 14.08.2023.

5. This application is allowed and the order dated 14.08.2023 passed by Collector, West Champaran at Bettiah in Land Encroachment Appeal RM No. 54/2022-23 is hereby quashed.

6. The matter is remitted back to the Collector, West Champaran with direction to hear the appeal and decide the issue as to whether the petitioner was encroacher or not. The exercise must be done by the end of June, 2024 after hearing the petitioner.

(Sandeep Kumar, J)

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