

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19418 of 2024

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Birendra Kumar Singh Son of Late Satyanarayan Singh, Resident of village Kumarpur, P.O Kathara PS Sultanganj District Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Bihar, Patna.
2. The District Collector, Bhagalpur.
3. The Circle Officer Sultanganj, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Adv.
For the Respondent/s : Mr.Government Pleader (14)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2025 Though the present writ petition has been filed for directing the Respondent authorities, especially the Respondent No. 3 i.e. the Circle Officer, Sultanganj, Bhagalpur, not to demolish the building of the petitioner, situated over the land, appertaining to Khata No. 278, Plot No. 441, which has been created from old Plot No. 102, old Khata No. 20, ad-measuring 20 decimal, situated at Mauza-Kumarpur, Thana No. 102, Circle-Sultnganj, District-Bhagalpur, however, at the outset, the learned counsel for the petitioner submits that in pursuance to the show cause notice dated 11.11.2024, issued by the Respondent No. 3, the petitioner has already filed his reply before the Respondent No. 3, on 6.6.2024, as is apparent from Annexure-4 to the writ petition, hence, the same be directed to



be considered by the Respondent No. 3, in accordance with law, whereafter, the final order be passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and till then, some protection be granted to the petitioner.

2. Having regard to the facts and circumstances of the case, I direct the Respondent No. 3 to consider the show cause reply dated 6.6.2024, filed by the petitioner before him, in accordance with law and pass the final order under Section 6(1) Bihar Public Land Encroachment Act, 1956, forthwith and till then, no coercive action shall be taken against the petitioner, as far as demolition of the building in question is concerned.

3. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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