

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19807 of 2024

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1. Bhagwat Sharma Son of Gugal Sharma Resident of Village Shankar Rohar, P.S. Baheri, District-Darbhangha.
 2. Ram Vihari Sharma Son of Bhola Sharma Resident of Village-Shankar Rohar, P.S.-Baheri, District-Darbhangha.
 3. Kusheshwar Sharma Son of Musai Sharma Resident of Village-Shankar Rohar, P.S.-Baheri, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna..
2. The District Magistrate-cum Collector, Darbhanga
3. The Circle Officer, Baheri, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the Respondent/s : Mr. Sunil Kr. Mandal, SC-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-01-2025 Though the present writ petition has been filed for quashing the notice dated 22.11.2024, issued by the Circle Officer, Baheri, District-Darbhangha under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956'), in connection with Encroachment Case No. 20 of 2024-25, asking the petitioners to submit their show cause reply, however, it is the stand of the learned counsel for the petitioners that the petitioners have already filed their objection before the Circle Officer, Baheri, District-Darbhangha on 30.11.2024, which is annexed as Annexure-P/6 to the present



writ petition, hence it is submitted that the Circle Officer, Baheri, District-Darbhanga be directed to consider the same in accordance with law and pass the final order under Section 6(1) of the Act, 1956 and till then no coercive action be directed to be taken against the petitioners.

2. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Baheri, District-Darbhanga to consider the objection filed by the petitioners, annexed as Annexure-P/6 to the present writ petition and pass appropriate orders, in accordance with law under Section 6(1) of the Act, 1956, in case the same has not already been passed, within a period of six weeks of receipt/production of a copy of this order and till then no coercive action shall be taken against the petitioners.

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

(Mohit Kumar Shah, J)

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