# IN THE HIGH COURT OF JUDICATURE AT PATNA
**Civil Writ Jurisdiction Case No.8798 of 2017**

**CNR No. BRHC010712712017**

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1. Shailendra Prasad Singh S/o late Kedar Prasad Singh
2. Ravi Bhushan Prasad Singh S/o late Bashudev Singh
3. Anant kumar Singh S/o late Harihar Prasad Singh
4. Ashim Kumar Singh S/o late Harihar Prasad Singh
5. Raj Nandan Prasad Singh S/o late Radheshyam Prasad Singh
6. Hare Krishna Prasad Singh S/o late Harihar Prasad Singh Alll Resident of Village- DhrubGama ,P.S. Kalyanpur, Distt- Samastipur.

... ... Petitioners

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar Patna. ) (Department of Land Reforms & Revenue, Govt. of Bihar)
2. The Collector Samastipur.
3. The Circle Officer Kalyanpur, Distt. Samastipur.

... ... Respondent/s

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**Appearance :**
For the Petitioner/s : Mr. Mukesh Kumar No. 1, Advocate
Mr. Vikas Kumar, Advocate
Mr. Nivendu Kumar, Advocate
For the State : Mr. Arvind Kumar, GP-19

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

ORAL ORDER

4 18-11-2026 Heard Mr. Mukesh Kumar No. 1, learned counsel for the petitioners, and Mr. Arvind Kumar, learned GP-19 appearing for the Respondent-State.

2. The present writ application has been filed seeking quashing of the notice dated 07.06.2017 issued by the Circle Officer, Kalyanpur (Respondent No. 3), District Samastipur, in Encroachment Case No. 04/2017-18, whereby and whereunder the petitioners have been directed to vacate the land in question till 29.06.2017.

3. Learned counsel for the petitioners submits that the notice under challenge has been issued by the authority concerned without complying with the mandatory provisions of

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the Encroachment Act.

4. Learned counsel for the petitioners further submits that the petitioners are ready and willing to submit their reply to the notice dated 07.06.2017 before the competent authority within a period of three weeks from today. It is, accordingly, directed that upon submission of such reply by the petitioners, Respondent No. 3 shall provide an opportunity of hearing to all the petitioners and thereafter pass a reasoned and speaking order in accordance with law within a period of three months, after hearing all the stakeholders. It is further directed that, until the disposal of Encroachment Case No. 04/2017-18, Respondent No. 3 shall not disturb the petitioners.

5. With the aforesaid observations and directions, the present writ application stands disposed of.

6. Pending interlocutory application(s), if any, shall also stand disposed of.

**(Rajesh Kumar Verma, J)**

Gaurav Sinha/-

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