

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2742 of 2023

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Chandra Kishore Ram S/o Devraj Ram R/o Village- Singhali, P.S.- Dalmian
Nagar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Land Reforms and Revenue, Bihar, Patna.
2. The District Magistrate, Rohtas.
3. The Subdivisional Magistrate, Rohtas.
4. The Circle Officer, Dehri, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kishor Kumar, Adv.
For the Respondent/s : Mr.Sajid Salim Khan, SC-25
Mr. Arif Daula Siddiqui, AC to SC-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-11-2023 The present writ petition has been filed seeking the following relief:-

“1. That this mandamus of writ petition filed for issuance of an appropriate order, direction to the Respondent authority to quash the notice dated 15.12.2022 and 2.1.2023, issued by the Respondent No. 4 i.e. Circle Officer, Dehri, Rohtas, in Encroachment Case No. 10/2022-23. The Circle Officer, Dehri, Rohtas, had given a wrongly notice to the petitioner under Section 6 (2) of the Bihar Public Land Encroachment Act, 1956.”

2. At the outset, the learned counsel for the Respondent-



State has referred to the counter affidavit, filed in the present case, to submit that the Circle Officer, Dehri (Rohtas) has already passed the final order dated 2.1.2023 under Section 6(1) of the Bihar Land Encroachment Act, 1956, in connection with Encroachment Case No. 10 of 2022-23 and thereafter, the encroachment in question has also stood removed.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law for challenging the aforesaid order dated 2.1.2023. Liberty, so sought, is granted.

4. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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