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**The Court of Collector-Cum- District Magistrate, Bokaro**

**Encroachment Appeal No. 96/2020-21**

Upendra Nath Mahatha & Oths.

Versus

State of Jharkhand

**ORDER**


04.05.2023

Heard the learned counsel of the petitioner and matter is being perused against the order of Circle Officer, Chas Bokaro. This Court perused the entire materials available on record, proceedings of the Court below, the submission of the appellant and report received from DPLR, Bokaro vide letter no. 124, dated 28.02.2023. It prima facie appears that the court below has not heard the appellant in support of its case. It also transpires that no documents of the appellant has been looked upon by the court below. The principal of natural justice requires to give sufficient opportunity to both the side, to place their case before the court below and after going through documents and hearing of both the parties, speaking order should be passed. But on the perusal of records it appears that matter has not been heard on merit.

Accordingly, the order dated 07.02.2020 passed by the learned Circle Officer, Chas Bokaro in Encroachment Case No. 06 of 2019-20 is hereby set aside.

The matter is remanded to the Circle Officer, Chas Bokaro to pass a detail order on merit after giving ample opportunity to both the parties in accordance with law.

Dictated and Corrected.

  
D.C.-CUM-D.M.  
BOKARO

  
D.C.-CUM-D.M.  
BOKARO

C. C. Issued Vide  
No. 2743  
Dated 24/5/23