

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3913 of 2019

1. Bijay Singh and Ors Son of late Bhubneswar Singh
2. Amrendra Kumar Singh Son of late Bhubneswar Singh
3. Aashik Lal Singh Late Shree Pd. Singh
4. Ramswarup Prasad Singh @ Mandal Son of late Shree Pd. Singh
5. Pawan Kumar Son of Bhola Mandal
6. Om Prakash Singh Son of late Shyam Lal Singh
7. Sikander Singh Son of late Lutan Singh
8. Praveen Singh Son of late Lutan Singh
9. Dwarika Pd. Singh Son of late Shree Pd. Singh
10. Guni Mandal Son of late Sukdeo Mandal
11. Pradeep Kumar Singh Son of late Bhola Pd. Singh
12. Bidya Pd. Singh Son of late Lutan Singh
13. Ramanand Singh Son of late Ram Charita Singh
14. Bindeshwari Singh Late Ramfal Mandal
15. Pramod Kumar Singh Son of late Shiv Pd. Singh
16. Rajesh Kumar Son of late Ramdeo Pd. Singh
17. Parsuram Mandal @ Parsuram Kumar Son of late Jagdish Mandal, all are resident of Village- Mohanpur, P.S. Shambhuganj, Gram Panchayat- Prariya, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Department of Health,
Government of Bihar, Patna
2. The Collector, Banka
3. The Additional Collector, Banka
4. The Anchal Adhikari , Shambhuganj, District- Banka

... .. Respondent/s

Appearance :

For the Petitioners : Mr. Chandra Shekhar Sharma, Advocate



For the Respondents : Mr. Dharendra Nath Jha, Advocate
Mr. Raj Kishore Roy, GP-18

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2019 Heard the parties.

In the present writ application, the petitioners have prayed for issuance of writ in the nature of certiorari to quash the notices dated 13.12.2018 issued by Circle Officer, Shambhuganj under Sub Section (2) of Section 6 of the Bihar Public Land Encroachment Act, 1956 to the petitioners, who are plaintiffs in Title Suit No.39 of 2017, which is pending in the court of learned 1st Sub Judge, Banka.

It has been submitted on behalf of the petitioners that the petitioners are in possession of the land in question for more than 30 years. A Title Suit has been filed before the court below bearing Title Suit No.39 of 2017 and injunction petition has also been filed in the said Title Suit.

The Counsel for the petitioners seeks liberty to press the injunction petition filed in the said Title Suit.

Liberty is granted.

If any such prayer is made on behalf of the petitioners, the said injunction petition be disposed of in terms of the Order 39 Rule 3-A of the Code of Civil Procedure.

Status quo shall be maintained for thirty days.



With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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