

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19094 of 2019

1. Devanti Devi Wife of Gupteshwar Prajapati Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
2. Suraji Devi Wife of Vikram Kumhar Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
3. Shri Bhagwan Kumhar Son of Shyam Narayan Kumhar Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
4. Punavasi Prajapati Son of Shyam Narayan Kumhar Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
5. Chhedi Paswan @ Chhedi Ram Son of Divan Paswan Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
6. Raniya Devi Wife of Lakshman Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
7. Usha Devi Wife of Chhotelal Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
8. Bhola Devi Wife of Shivnath Kumhar Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
9. Sunita Devi Wife of Mantan Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
10. Lakshmina Devi Wife of Triveni Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
11. Tetari Devi @ Tetra Devi Wife of Hira Kumhar @ Hiralal Prajapati Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
12. Ramdeva Kunvar @ Ramdei Kunvar Wife of Mevalal Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
13. Gaya Bind Son of Mukhdev Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
14. Munita Devi @ Manita Devi Wife of Jamuna Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
15. Malu Prajapati Son of Dashrath Prajapati Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).
16. Hiravati Devi @ Hiravati Kunwar Wife of Sudarshan Bind Resident of Village- Banrasia, Ward No.5, Post- Morsarai, P.S.- Sasaram, District- Rohtas (Bihar).

... .. Petitioner/s

Versus



1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Government of Bihar, Home Department, Patna.
3. The Principal Secretary Government of Bihar, Revenue and Land Reforms Department, Patna.
4. The Collector Of Rohtas District.
5. The Sub- Divisional Officer Sasaram, District- Rohtas.
6. The Circle Officer Sasaram Circle, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh No.10
For the Respondent/s : Mr.Sajid Salim Khan (SC-25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-09-2019 The present writ petition has been filed challenging the notice dated 25.06.2019 issued to the petitioners by the Circle Officer, Sasaram on the ground that the action proposed to be taken by the Circle Officer, Sasaram is against the policy of the Government as contained in Memo No. 2188 dated 12/13 May, 1971.

Having regard to the facts and circumstances of the case, I grant liberty to the petitioners to file requisite objection along with the aforesaid policy of the Government before the Circle Officer, Sasaram within four weeks from today which shall be considered by the Circle Officer, Sasaram and thereafter the Circle Officer, Sasaram shall pass the final order order Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

It is needless to state that in case no objection is filed



by the petitioners, the Circle Officer, Sasaram, shall be at liberty
to pass *ex parte* order.

Till passing of the order under Section 6(1) of the Act,
1956, status quo existing as on today, shall be maintained.

(Mohit Kumar Shah, J)

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