

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20260 of 2019

=====

Shambhu Singh @ Shambhusharan Singh, son of Late Sri Ram Singh,
resident of village- Deva Fatehpur, Police Station- Khijarsarai, District- Gaya.
... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Gaya.
2. The District Magistrate, Gaya.
3. The Sub- Divisional officer, Gaya, District- Gaya.
4. The Deputy Collector Land Reforms, Gaya, District- Gaya.
5. The Circle Officer, Khijarsarai, District- Gaya.
6. The Officer Incharge, Khijarsarai, District- Gaya.
7. Narendra Singh, son of late Rameshwar Singh, resident of village- Deva Fatehpur, Police Station- Khijarsarai, District- Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Respondent/s : Mr. Sajid Salim Khan (Sc25)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-11-2019 This Court had granted four weeks' time to the respondents to produce the order passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in connection with Encroachment case no. 01 of 2018-19. In pursuance thereof, the learned counsel for the respondents has produced the order dated 25.05.2019 passed by the Circle Officer, Khijarsarai, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, which is taken on record. A copy thereof, has also been served upon the learned counsel appearing for the petitioner.

At this juncture, the learned counsel for the petitioner



seeks liberty to assail the aforesaid order dated 25.05.2019 by filing an appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956 and further, prays that the respondents be directed not to take any action till passing of the final order under Section 11 of the Bihar Public Land Encroachment Act, 1956.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file an appeal as aforesaid, within a period of four weeks from today. It is further directed that till the final order is passed by the appellate authority, *status quo*, existing as on today, shall be maintained with regard to the house of the petitioner in question. It is further clarified that in case, no appeal is filed within a period of four weeks from today, the above order of *status quo* shall stand vacated automatically and the respondent-authorities shall be free to remove the encroachment in question.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

rinkee/-

U			
---	--	--	--

