

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 14986 of 2021

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Buchay Yadav Son of Late Babuji Yadav Resident of Village- Pakri,
Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Development Bihar, Patna.
3. The District Magistrate, Supaul.
4. The Sub Divisional Magistrate, Triveniganj, District- Supaul.
5. The Circle Officer, Triveniganj, District- Supaul.
6. The Officer In Charge, P.S. - Triveniganj, District- Supaul.

... .. Respondent/s

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
For the Respondent/s : Mr. Vikash Kumar (SC-11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-09-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed seeking the following reliefs:-

“ For quashing the impugned order as contained in memo no. 542 dated 12.08.2021 issued by the Sub-Divisional Officer, Triveniganj, Supaul, whereby and



whereunder the residential pakka house standing at his owe Raiyati land, situated at Mauza-Pakri, Khata No. 46, Khesara No. 686 (1041, 1042) 11 ¼ Decimals having its boundary North-Bhumi Yadav, West-Neej purchase, has been directed to demolish on the ground of encroachment but over the land of Nahar whereas no encroachment has been made by the petitioner rather wrong fact have been mentioned by the Anchal Amin the house of the petitioner stands on his raiyati land which has been owned and possessed by means of purchased through registered sale deed dated 08.07.2009.”

At the outset, the learned counsel for the petitioner seeks liberty to file an appeal before the appellate authority against the order dated 12.08.2021 passed by the S.D.O., Triveniganj, Supaul, however, seeks some interim relief during the interregnum period inasmuch as his house is going to be demolished.

Having regard to the facts and circumstances of the case, this Court deems it fit and proper to dispose off the present case by granting liberty to the petitioner to approach the appellate authority against the order dated 12.08.2021 passed by the S.D.O., Triveniganj, Supaul.

Considering the prevailing situation on account of COVID-19 Pandemic, it is directed that for a period of four



weeks from today, status quo existing as on today qua the property/house in question shall be maintained in order to enable the petitioner to file an appeal and seek appropriate interim orders.

(Mohit Kumar Shah, J)

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