

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1253 of 2022

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Vinod Prasad Son of Ramasharay Prasad Resident of Village- Paigamberpur,
P.O.- Sagahari, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector-cum-District Magistrate, Muzaffarpur.
4. The Additional Collector, Muzaffarpur.
5. The Sub-Divisional Officer, East, Muzaffarpur.
6. The Circle Officer, Minapur, District- Muzaffarpur.
7. The S.H.O., Siwaipatti Police Station, District- Muzaffarpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 1378 of 2022

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Mithlesh Prasad Son of Ramasharay Prasad Resident of Village-
Paigamberpur, P.O.-Sagahari, P.S.-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector-Cum-District Magistrate, Muzaffarpur.
4. The Additional Collector, Muzaffarpur.
5. The Sub-Divisional Officer, East Muzaffarpur.
6. The Circle Officer, Minapur District-Muzaffarpur.
7. The S.H.O., Siwaipatti Police Station, District-Muzaffarpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 1774 of 2022

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Bhola Prasad Son of Ramasharay Prasad Resident of Vilalge-Paigamberpur,
P.O.-Sagahari, P.S.-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus



1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, tirhut Division, Muzaffarpur.
3. The Collector-Cum-District Magistrate, Muzaffarpur.
4. The Additional Collector, Muzaffarpur.
5. The Sub-Divisional Officer, East Muzaffarpur
6. The Circle Officer, Minapur, District-Muzaffarpur.
7. The S.H.O., Siwaipatti Police Station, District-Muzaffarpur.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 1253 of 2022)

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Respondent/s : Mr. Mukul Kumar Prasad, AC to GP-18

(In Civil Writ Jurisdiction Case No. 1378 of 2022)

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Respondent/s : Mr. Atul Kumar, AC to SC-19

(In Civil Writ Jurisdiction Case No. 1774 of 2022)

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Respondent/s : Mr. Ebadur Rahman Shakeb, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 20-12-2022 In all the aforesaid three writ petitions, the notices dated 27.11.2021, issued under Section 6(2) of the Bihar Public Land Encroachment Act, 1956, by the Circle Officer, Minapur, in connection with Encroachment Case No. 11 of 2021-22, are under challenge.

The Respondents have filed counter affidavits in all the three cases and have stated that the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No. 11 of 2021-22, has



been passed on 15.6.2022, hence if the petitioners are aggrieved, they may file appropriate Appeal under the provisions of the Bihar Public Land Encroachment Act, 1956.

At this juncture, the Ld. Counsels for the aforesaid petitioners seek liberty on behalf of the petitioners to file appropriate Appeal, however, seek some protection during the interregnum period.

Having regard to be facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioners of the aforesaid three writ petitions to file appropriate Appeal within a period of six weeks from today and for a period of six weeks, status quo, existing as on today qua the land / house of the petitioners shall be maintained.

It is needless to state that in case appropriate Appeal(s) is / are filed by the petitioners within a period of six weeks from today, the same shall be considered on merits by the Appellate authority, and a reasoned & a speaking



order shall be passed thereon, in accordance with law, forthwith.

All the three writ petitions stand disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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