

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3255 of 2020**

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1. Ashok Singh Son of Satyanarayan Singh Resident of Village- Nipaniya, P.O.- Salem pur, P.S.- Ishuapur, District- Saran at Chapra.
  2. Arun Singh S/o Satyanarayan Singh Resident of Village- Nipaniya, P.O.- Salem pur, P.S.- Ishuapur, District- Saran at Chapra.
  3. Bindeshwari Singh S/o Pundev Singh Resident of Village- Nipaniya, P.O.- Salem pur, P.S.- Ishuapur, District- Saran at Chapra.
  4. Jitendra Singh S/o Bindeshwari Singh Resident of Village- Nipaniya, P.O.- Salem pur, P.S.- Ishuapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary, Government of Bihar Patna.
2. The Chief Secretary, Government of Bihar Patna.
3. The Principal Secretary Revenue and Land reforms, Government of Bihar Patna.
4. The District Collector Saran at Chapra.
5. The Deputy Collector land reforms Marahaurah, Saran at Chapra.
6. The Sub Divisional Officer Marahaurah, Saran at Chapra.
7. The Circle Officer Ishuapur, Saran at Chapra.
8. The Executive Officer Marahaurah, Saran at Chapra.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Rananjay Kumar  
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      23-06-2022                      The short prayer made by the petitioners in the present writ petition is that though the petitioners have filed a show cause reply in the ongoing encroachment case, before the Circle Officer, Ishuapur, Saran at Chapra i.e. the Respondent No. 7, however, no final order is being



passed and instead, the respondents are seeking to remove the alleged encroachment.

The learned counsel for the petitioners submits that the aforesaid encroachment case initiated against the petitioners be directed to be finalized and final orders be directed to be passed by the Respondent No. 7 and in the meantime, some protection be granted to the petitioners herein.

Having regard to the facts and circumstances of the case, it is directed that the Respondent No. 7 shall pass final orders under Section 6(1) of the Bihar Land Encroachment Act, 1956 and in case, no such encroachment proceedings have been initiated, appropriate proceedings shall be initiated prior to dislodging the petitioners / removal of the encroachment.

It is needless to state that till the final order is passed by the Respondent No. 7 under the provisions of the Bihar Land Encroachment Act, 1956, status quo, existing as on today, shall be maintained.



The writ petition stands disposed of.

**(Mohit Kumar Shah, J)**

Ajay/-

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