

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6030 of 2022

1. Umesh Singh S/o Late Jamun Singh @ Jamun Prasad Singh, Resident of Village - Mahgawan (Khajuria), P.O.- Whatwari, P.S. - Dharhara, District-Munger.
2. Ram Lakhan Singh S/o Late Jamun Singh @ Jamun Prasad Singh, Resident of Village - Mahgawan (Khajuria), P.O.- Whatwari, P.S. - Dharhara, District-Munger.
3. Rajesh Singh, S/o Late Om Prakash Singh, Resident of Village - Mahgawan (Khajuria), P.O.- Whatwari, P.S. - Dharhara, District- Munger.
4. Bihari Lal, S/o Late Ram Charitra Kushwaha, Resident of Village - Mahgawan (Khajuria), P.O.- Whatwari, P.S. - Dharhara, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Commissioner, Munger.
3. The District Magistrate-Cum-Collector, Munger.
4. The Additional District Magistrate (Revenue and Land Reforms Officer) Munger.
5. The Deputy Collector, Land Reforms, Munger.
6. The Sub-Divisional Officer, Munger.
7. The Circle Officer-cum-Collector under the Public Land Reforms Act, Dharhara, Munger.
8. The Officer-in-Charge, Dharhara Police Station, P.O. Dharhara, District-Munger.
9. The Halka Karamchari, Gram Panchayat Raj, Mahgama, P.S.- Dharhara, District- Munger.
10. The Officer-in-Charge, Laraiyatand, Police Station, P.O. Ghatwari (Mahgama), District - Munger.
11. The Anchal Amin Concerning Gram Panchayat Raj, Mahgama, P.S. Dharhara, District - Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh, Adv.
For the Respondent/s : Mr.Md. Khurshid Alam (Aag 12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-11-2022 The present writ petition has been filed by the petitioners,



challenging the notice dated 19.07.2021, issued by the Circle Officer, Dharhara, District-Munger under Section 3 of the Bihar Public Land Encroachment Act, 1956.

The learned counsel for the petitioners has submitted that the petitioners are residing at the plot/ land in question since the year 1930 and they are having valid right, title and interest over the same. Nonetheless, it is submitted by the learned counsel for the petitioners that the petitioners would be approaching the Circle Officer, Dharhara i.e. the respondent no. 7, by filing their objections within a period of four weeks from today, however, they be protected during the interregnum period.

The learned counsel for the respondent- State submits that in case, the petitioners file their objections, before the respondent no. 7, in the ongoing encroachment case, within a period of four weeks from today, he shall definitely consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to dispose off the present writ petition with liberty to the petitioners to file their objections before the respondent no. 7 and in case, such objections are filed within a period of four weeks from today, the respondent no. 7



shall consider the same and pass appropriate orders, in accordance with law, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and till then, status quo existing as on today qua the land/ houses of the petitioners in question, shall be maintained.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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