

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6645 of 2022**

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1. Anil Kumar Sharma Son of Late Maithali Sharan Thakur Resident of Village Baura Bazidpur, P.S. Pupri, District Sitamarhi.
  2. Manoj Kumar Son of Shree Ramashankar Sah Resident of Jhajhihat Bazar, P.S. Pupri, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi, Bihar.
4. The Sub Divisional Officer, District Sitamarhi, Bihar.
5. The Circle Officer, Pupri Circle, Sitamarhi, District Sitamarhi, Bihar.
6. The Executive Officer, Nagar Parishad, Pupri, District Sitamarhi, Bihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Prabhat Ranjan  
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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

2      21-07-2022                      The present writ petition has been filed for directing the respondent authorities not to take any coercive action pertaining to demolition of the house of the petitioners situated over the land in question,                      without                      carrying                      out measurement/demarcation as per the sanctioned Government map published by the Government press, Gujzarbagh, Patna instead of relying on unauthenticated local maps. It is also submitted



that since encroachment proceedings are going on before the Circle Officer, Pupri Circle, District-Sitamarhi, the petitioners be granted liberty to file his show cause reply and till then, some protection be granted.

The learned counsel for the Respondent-State submits that in case, the petitioners approaches the Circle Officer, Pupri Circle, District-Sitamarhi i.e. the Respondent No. 5 and files his objections / show cause reply, annexing the latest map as has been published by the State Government, the Respondent No. 5 shall definitely consider the same and pass appropriate orders under the provisions of the Bihar Public Land Encroachment Act, 1956 as also in accordance with law.

Having regard to the facts and circumstances of the present case, the present writ petition stands disposed of with liberty to the petitioners to approach the Respondent No. 5 and file appropriate show cause reply, as aforesaid, in the ongoing encroachment case, within a period of



four weeks from today, which shall be considered by the Respondent No. 5 and appropriate final order shall be passed in accordance with law as also in accordance with the provisions contained in the Bihar Public Land Encroachment Act, 1956.

It is needless to state that in case, show cause reply is filed within a period of four weeks from today, status quo, existing as on today, shall be maintained till the final disposal of the aforesaid encroachment case by the Respondent No. 5.

It is expendable to mention that measurement, if required, may be resorted to in appropriate weather condition.

The writ petition stands disposed of on the aforesaid terms.

**(Mohit Kumar Shah, J)**

Ajay/-

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