

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20770 of 2021

1. Raj Kumar Yadav Son of Makhan Yadav Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
2. Bijju Yadav Son of Late Bahadur Yadav Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
3. Dhanraj Sah Son of Sita Ram Sah Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
4. Kamlesh Singh Son of Hirdaya Singh Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
5. Brijesh Singh Son of Late Dhrup Singh Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
6. Jata Shankar Singh Son of Late Bagad Singh Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
7. Jawahir Yadav Son of Jag Yadav Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
8. Satan Singh Son of Late Mofil Singh Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
9. Shatrudhan Singh Son of Narayan Singh Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
10. Vinod Sharma Son of Ramji Sharma Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
11. Brij Bihari Sahani Son of Ramashish Sahani Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
12. Ramesh Sahani Son of Raghunath Sahani Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
13. Kamal Das Son of Late Ganesh Das Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
14. Raj Narayan Singh Son of Laxmi Singh Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
15. Brahma Pandey Son of Laljee Pandey Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
16. Musmat Nagawali Wife of Late Brij Kishore Sharma Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
17. Ajay Mahto Son of Laxmi Mahto Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
18. Subhash Chandra Pandey @ Subhash Pandey Son of Ramakant Pandey Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
19. Harishankar Pandey Son of Late Ramakant Pandey Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).
20. Rajan Kumar Pandey Son of Late Prasidh Pandey Resident of Village - Nandpur Khodhi, P.S. - Shikarpur, District- West Champaran (Bettiah).



... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and land Reforms Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Muzaffarpur Division, Muzaffarpur.
3. The Collector, West Champaran, at Bettiah.
4. The Sub. Divisional Officer, Narkatiaganj, District- West Champaran, at Bettiah.
5. The Circle Officer, Narkatiaganj, District- West Champaran (Bettiah).
6. Balbindar Singh Son of not known Resident of Ward No. 16, Gurudwara Road, Narkatiaganj, District- West Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13499 of 2021

1. Gulam Ahmad Son of Late Md Hussain Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
2. Bhikhari Ram Son of Late Aklu Ram Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
3. Bharat Sharma Son of Late Kapil Deo Sharma Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
4. Buddhan Yadav Son of Late Thakur Yadav Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
5. Mansoor Alam @ Mansoor Mian Son of Late Md Abbas Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
6. Md Mustafa, Son of Late Nathuni Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
7. Rahim Mian Son of Late Banhu Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
8. Mahmud Mian @ Mahmud Alam, Son of Late Noor Hussain Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
9. Md Ansari @ Md Mian Son of Late Nathuni Ansari Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
10. Md Aurangeb Son of Late Shamsher Mistry Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West



Champaran

11. Sagir Alam @ Saggir Hawari, Son of Late Rahman Alam Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
12. Md Aslam @ Aslam Mian Son of Late Md Jamil Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
13. Md Mushtaq Ahmad Son of Late Abdul Ansari @ Abdul Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
14. Tafzul Mian @ Tafajul Hussain Son of Late Ramtullah Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
15. Ramzan Mian Son of Late Manager Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
16. Mojam Ansari Son of Aurangjeb Ansari Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
17. Meraj Ahmad Son of Gulam Ahmad Ansari Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
18. Md Manan @ Manan Ansari Son of Late Nathuni Mian Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
19. Bidyadhar Prasad @ Bidha Sagar @ Bidyadhar Kesri Son of Late Thakur Prasad Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
20. Jarina Khatoon Wife of Md Ali Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran
21. Mahafuz Alam Son of Auranjeb Ansari Resident of Mohalla Bauli Tola, Khodi Deolia, Anchar-Narkariyaganj, P.S.-Shikarpur, District-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Bihar, Patna.
3. Divisional Commissioner, Tirhuit Division, Muzaffarpur
4. District Magistrate, Bettiah, West Champaran.
5. Sub Divisional Officer, Narkatiyaganj, West Champaran.
6. Circle Officer, Narkatiyaganj, West Champaran.
7. Halka Karmchhari, Halka no-1, Circle Office Narkatiyaganj, District-West



Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13500 of 2021

1. Manoj Shah @ Manoj Prasad Son of Late Nathuni Sah, Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.
2. Om Prakash Shah, Son of Radha Sah Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.
3. Mogal Das, Son of Late Bipin Das, Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.
4. Anidh Shah, Son of Late Sitaram Shah, Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.
5. Mithai Lal Shah, Son of Kishun Shah, Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.
6. Ramashish Sharma, Son of Late Mahadeo Sharma, Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.
7. Imamuddin, Son of Mansoor Alam, Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.
8. Suryabala Srivastaw, Wife of Madhusudan Srivastaw, Resident of Mohalla Khodi Deolia, Anchar- Narkatiyaganj, P.S. - Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Bihar, Patna.
3. Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. District Magistrate, Bettiah, West Champaran.
5. Sub Divisional Officer, Narkatiyaganj, West Champaran.
6. Circle Officer, Narkatiyaganj, West Champaran.
7. Halka Karmchari, Halka No. 4, Circle Office Narkatiyaganj, District - West Champaran.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 20770 of 2021)

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

(In Civil Writ Jurisdiction Case No. 13499 of 2021)



For the Petitioner/s : Mr.Prashant Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)
(In Civil Writ Jurisdiction Case No. 13500 of 2021)
For the Petitioner/s : Mr.Prashant Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 06-12-2022 The aforesaid three writ petitions have been filed seeking quashing of the encroachment proceedings, initiated vide Encroachment case no. 2 of 2021, by the Circle Officer, Narkatiaganj, West Champaran at Bettiah.

The learned counsel appearing for the respondent State has produced the final order dated 13.04.2021, passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, by the Circle Officer, Narkatiaganj, West Champaran at Bettiah.

At the outset, the learned counsels for the petitioners of the aforesaid cases seek liberty on behalf of the petitioners to challenge the aforesaid order dated 13.04.2021, by filing appropriate appeals. Liberty so sought, is granted.

It is needless to state that in case, appropriate appeals are filed by the petitioners of the aforesaid three cases, within a period of four weeks from today, the appellate authority shall consider the appeals of the petitioners on merits and pass a reasoned and a speaking order, in accordance with law, forthwith and till then, *status quo* existing as on today *qua* the



land/ houses of the petitioners in question, shall be maintained.

The aforesaid writ petitions stand disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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