

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10660 of 2022

1. Ram Nandan Prasad Son of Late Shiv Nandan Prasad, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
2. Rajendra Paswan, Son of Late Kishun Paswan, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
3. Brij Paswan, Son of Late Kishun Paswan, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
4. Shiv Paswan, Son of Late Kishun Paswan, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
5. Prem Kumar, Son of Late Dinesh Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
6. Satish Mahto, Son of Late Sona Mahto, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
7. Devanand Prasad, Son of Late Mahavir Mahto, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
8. Ranjit Ram, Son of Late Shiva Lal Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
9. Sitaram Paswan, Son of Late Baleshwar Paswan, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
10. Raj Kumar Ram, Son of Late Bangali Mahto, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
11. Prabhu Das, Son of Late Sahodar Das, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
12. Vipin Kumar, Son of Late Sahodar Das, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
13. Vijay Kumar, Son of Resident of Village - Saare, P.S. - Saare, District - Nalanda.
14. Anandi Paswan, Son of Late Rupan Paswan, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
15. Chote Lal Thakur, Son of Boudhu Thakur, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
16. Shankar Paswan, Son of Late Dhoru Paswan, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
17. Prakash Prasad Raut, Son of Late Bindeshwar Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
18. Kishun Mahto, Son of Late Lakhan Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
19. Kanti Devi, Daughter of Late Vishu Dev Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
20. Mohan Mahto, Son of Late Banarshi Mahto, Resident of Village - Saare, P.S. - Saare, District - Nalanda.



21. Anil Raut, Son of Late Chotan Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
22. Sanjay Prasad, Son of Late Umesh Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
23. Manju Devi, Wife of Ranjay Prasad, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
24. Reeta Devi, Wife of Vinay Prasad, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
25. Chota Ram Son of Late Bajrangi Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
26. Bhaso Ram, Son of Late Bajrangi Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
27. Tanik Ram, Son of Late Bajrangi Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
28. Ravindra Ram, Son of Late Jaipal Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
29. Baleshwar Ram, Son of Late Jaipal Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
30. Guddu Kumar, Son of Late Jaipal Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
31. Sadan Ram, Son of Late Sadhu Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
32. Raj Kumar Ram, Son of Late Badhan Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
33. Kamlesh Ram, Son of Late Badhan Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
34. Ram Varan Ram, Son of Late Bangali Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
35. Mithilesh Kumar, Son of Late Indra Dev Ram, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
36. Nandehal Das, Son of Late Pachu Ravidas, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
37. Ram Sagar Raut, Son of Late Chotan Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
38. Prem Chand Raut, Son of Late Dinesh Raut, Resident of Village - Saare, P.S. - Saare, District - Nalanda.
39. Sahdev Paswan, Son of Late Chotan Paswan, Resident of Village - Saare, P.S. - Saare, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Land and Revenue Government of Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.



3. The District Magistrate cum Collector, District - Nalanda.
4. The Sub-Divisional Officer, Nalanda.
5. The Sub-Divisional Police Officer, Nalanda.
6. The Circle Officer, Asthavan, Nalanda.
7. The Officer In-charge, Saare Police Station District - Nalanda.
8. The Circle Inspector, Sare, District - Nalanda.
9. The Revenue Karmchari, Sare, District - Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC19)
: Mr. Atul Shanker (AC to SC 19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-08-2022 Though the present writ petition has been filed challenging the notice dated 08.06.2022, issued by the Circle Officer, Asthavan, Nalanda i.e. the respondent no. 6, however the learned counsel for the petitioners seeks liberty on behalf of the petitioners to file show cause reply before the respondent no. 6. Liberty so sought, is granted.

It is needless to state that in case, show cause reply is filed within a period of four weeks from today, the same shall be considered by the respondent no. 6, in accordance with law and appropriate order shall be passed under ***Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter to be referred to as “the Act, 1956”)***.

It is further directed that in case, appropriate show cause reply is filed within a period of four weeks from today,



status quo, existing as on today *qua* the dwelling houses in question shall be maintained till passing of the final order by the respondent no. 6 under ***Section 6(1) of the Act, 1956*** in connection with Encroachment case no. 05 of 2017-18.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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