

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10834 of 2022

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Saryu Mahto Son of Late Nanhu Mahto, Resident of Village - Bakrour, P.O. - Bakrour, P.S. - Bodhgaya, Anchal - Bodhgaya, District - Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Gaya.
3. The Deputy Collector Land Reform, Gaya.
4. The Sub-Divisional Officer, Sadar, Gaya.
5. The Circle Officer, Bodhgaya, District - Gaya.
6. The Station Head Officer, Bodhgaya Police Station, Gaya.
7. Sanjay Kumar S/o Late Birju Mahto, R/o Vill. - Bakraur, P.S. - Bodh Gaya, Dist. - Gaya, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Niranjan Kumar, Advocate
	:	Mr. Kumar Kishan, Advocate
	:	Mr. Avinash Raushan, Advocate
For the Respondents 1-6	:	Mr.Sajid Salim Khan (SC 25)
	:	Mr. Arif Daula Siddiqui, Advocate
For the Respondent no. 7:	:	Mr. Birendra Kumar, Advocate
	:	Mr. Kumud Kishore, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-08-2022 In pursuance to the earlier order of this Court dated 25.08.2022, the District Magistrate, Gaya has filed a counter affidavit, wherein an order dated 29.11.2021, passed by the Circle Officer, Bodhgaya has been annexed, stated to be an order passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, against the petitioner, wherein the petitioner has been found to be an encroacher.

In such view of the matter, the learned counsel for the



petitioner seeks liberty on behalf of the petitioner to challenge the said order dated 29.11.2021, passed by the Circle Officer, Bodhgaya, Gaya in Encroachment case no. 07 of 2020-21 and till then, seeks some protection.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to file an appeal against the aforesaid order dated 29.11.2021 and in case, such an appeal is filed within a period of four weeks from today, *status quo* existing as on today *qua* the house of the petitioner shall be maintained till the appeal, to be filed by the petitioner, is finally disposed of.

(Mohit Kumar Shah, J)

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