

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12523 of 2022

1. Karmnath Singh Thakur Son of Late Poshnath Singh Thakur, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
2. Ravindra Jha, Son of Late Rabtikant Jha, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
3. Ashok Kumar, Son of Late Dhaneshwar Prasad Varma resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
4. Sheela Thakur, Wife of Gopi Kant Thakur, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
5. Nilmani Mukhterjee, Son of Late S.C. Mukherjee, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
6. Sarvnrayan Jha, Son of Late Ramnarayan Jha, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
7. Abhijit Ganguli, Son of Late Ranjan Kumar Ganguli, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
8. Umesh Mandal, Son of Late Devnarayan Mandal, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
9. Ramashish Rai, Son of Late Kailash Rai, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
10. Usha Jha, Wife of Late Durganand Jha, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
11. Shushila Devi, Wife of Late Binay Bhushan Prasad, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
12. Prabhakar Mishra, Son of Shilanath Mishra, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
13. Bhartendu Jha, Son of Late Markndey Jha, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.
14. Ram Mohan Jha, Son of Late Mahadev Jha, resident of Raj Hospital Campus Kutubganj P.O. Lalbagh, Darbhanga- 846004.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Darbhanga.
2. The District Magistrate, Darbhanga.
3. The Sub- Divisional Officer, Darbhanga.
4. The Circle Officer, Darbhanga Sadar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Advocate
	:	Mr. Anjani Kumar Jha, Advocate
For the Respondent/s	:	Mr.Raj Kishore Roy (GP 18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-09-2022

At the outset, the learned Senior counsel for the



petitioners, Sr. P.K. Shahi seeks to file interlocutory application, which is taken on record.

The short issue involved in the present case is regarding validity of the order dated 13.07.2022, passed by the Circle Officer, Sadar, Darbhanga, in connection with Encroachment case no. 02 of 2022-23, whereby and whereunder the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 has been passed and the petitioners have been declared to be encroachers.

At the outset, the learned Senior counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid order dated 13.07.2022, by filing appropriate appeal before the appellate authority, however, seeks some protection in the meantime. Liberty so sought, is granted.

It is needless to state that in case, appropriate appeal is filed by the petitioners, within a period of four weeks from today, *status quo* existing as on today, shall be maintained, till the final disposal of the appeal by the appellate authority.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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