

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14053 of 2022

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Rajesh Kumar S/o Sitaram Singh, Resident of Village- Shubhankarpur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Cum District Magistrate, Muzaffarpur.
2. Deputy Land Reform Collector (D.C.L.R) West, Muzaffarpur.
3. Sub-Divisional Magistrate (West), Muzaffarpur.
4. Circle Officer, Marwan Circle, Muzaffarpur.
5. Braj Mohan Thakur S/o Late Raghunath Thakur, Resident of Village- Patahi Jagarnath, P.O.- Patahi, P.S.- Sadar, District- Muzaffarpur. Pin- 843113
6. Pankaj Kumar S/o Late Devendra Prasad Singh, Resident of Mohalla- I.G. Colony, Bhagwanpur, P.S.- Sadar, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-12-2022 Though the present writ petition was filed for quashing the notice dated 23.08.2022, passed by the Circle Officer, Marwan, Muzaffarpur i.e. the respondent no. 4, in connection with Encroachment case no. 01 of 2022-23, however, the learned counsel for the respondent State has filed a counter affidavit, wherein the final order dated 18.10.2021, passed by the respondent no. 4 under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 has been brought on record, hence, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the same, by filing



appropriate appeal. Liberty so sought, is granted.

It is needless to state that in case, appropriate appeal is filed within a period of four weeks from today, the appellate authority shall consider the same on merits and pass a reasoned and a speaking order and till then, *status quo* existing as on today *qua* the land/ house of the petitioner in question, shall be maintained.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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