

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20125 of 2021

1. Ramadhar Paswan Son of Bhikham Paswan, Resident of Village - Sugauli Tola, Birti, Police Station- Shikarpur, District - West Champaran, at present Resident of Village - Semra, Police Station- Shikarpur, District - West Champaran.
2. Vikash Kumar Son of Uma Kant Pandey, Resident of Village - Birti Sugauli, Police Station- Shikarpur, District - West Champaran, at present Resident of Village- Semra, Police Station- Shikarpur, District - West Champaran.
3. Badri Devan, Son of Jaldin Dewan, Resident of Village- Semra, Police Station- Shikarpur, District - West Champaran.
4. Sabir Mian, Son of Ismail Mian, Resident of Village - Semra, Police Station- Shikarpur, District- West Champaran.
5. Mukchan Sah, Son of Mangal Sah, Resident of Village - Laukaria, Police Station- Shikarpur, District - West Champaran, at present Resident of Village - Semra, Police Station- Shikarpur, District- West Champaran.
6. Chandra Shekhar Mani Tiwari Son of Nagendra Mani Tiwari, Resident of Village - Sugauli, Police Station- Shikarpur, District - West Champaran, at present Resident of Village- Semra, Police Station- Shikarpur, District - West Champaran.
7. Ram Prasad Sah, Son of Jag Mohan Sah, Resident of Village - Banwaliya, Police Station- Shikarpur, District - West Champaran, at present Resident of Village - Semra, Police Station- Shikarpur, District - West Champaran.
8. Madhuamala Kunwar @ Madhumala Devi, Wife of Late Sanjit Kumar Yadav @ Late Bhuwal Yadav, Resident of Village - Semra, Police Station- Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector, West Champaran at Bettiah.
3. The Sub Divisional Officer, Narkatiaganj, Police Station- Shikarpur, District - West Champaran.
4. The Land Reform Deputy Collector, Narkatiaganj, Police Station- Shikarpur, District - West Champaran.
5. The Anchal Adhikari, Narkatiaganj, Police Station- Shikarpur, District - West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar, Advocate
For the Respondent/s	:	Mr.Md. Khurshid Alam (AAG 12)



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 04-08-2022 Though the present writ petition was filed for quashing the notices dated 31.08.2020 and 02.01.2021, issued under the ***Bihar Public Land Encroachment Act, 1956*** directing the petitioners to remove encroachment in light of the orders passed in Encroachment case no. 24 of 2018-19, however the learned counsel for the petitioners has limited his prayer to grant of liberty to the petitioners to file appropriate appeal against the final order dated 02.01.2021, passed by the Circle Officer, Narkatiaganj in Encroachment case no. 24 of 2018-19. Liberty, so sought, is granted.

At this juncture, the learned counsel for the petitioners has referred to a judgment rendered in the case of ***Md. Jamalluddin and others v. The State of Bihar and others*** reported in ***2010(2) PLJR, 518*** and has submitted that the Appellate Authority be directed to consider the same while taking the final decision.

It is directed accordingly.

It is needless to state that in case appropriate appeal is filed by the petitioner within a period of four weeks from today, *status quo*, existing as on today, *qua* the land in



question shall be maintained, till the final order is passed thereon.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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