

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14677 of 2022

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1. Nitu Devi wife of Sri Vikash Kumar Resident of Village- Jarmakhap, Police Station Jamhor, District- Aurangabad.
 2. Parmila Devi Wife of Sri Bishundeo Paswan, Resident of Village- Jarmakhap, Police Station Jamhor, District- Aurangabad.
 3. Sri Bishundeo Paswan Son of Late Aanya Ram, Resident of Village- Jarmakhap, Police Station Jamhor, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Aurangabad.
2. The Circle Officer Barun Anchal Barun Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Syed Ashfaque Ahmad, Adv.
For the Respondent/s : Mr.Sajid Salim Khan (SC 25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-11-2022 Though, the present writ petition was filed for quashing the notice dated 08.10.2022 as also the order passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in connection with the Encroachment Case No. 13 of 2018-19, by the Circle Officer, Barun, Aurangabad i.e. the respondent no. 2 herein, however, the respondents have filed a counter affidavit in the present case, wherein an order dated 23.08.2022 has been produced which has been passed by the respondent no. 2 under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

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



petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid order dated 23.08.2022, passed by the respondent no. 2, 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 4 weeks from today, the Appellate Authority shall decide the same on merits and pass a reasoned and a speaking order thereon, in accordance with law and till then no coercive action shall be taken against the petitioners so as to dispossess them from the land/house in question.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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