

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5026 of 2018

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Gajendra Kumar Chauhan Son of Late Virendra Chauhan @ V.P. Singh,
Resident of Village- Naya Tola, Mairwa, Police Station- Mairwa, District-
Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Siwan.
3. The Circle Officer, Mairwa Block, Mairwa, District- Siwan.
4. The Circle Inspector, Mairwa Block, District- Siwan.
5. The Anchal Amin, Mairwa Block, District- Siwan.
6. Sugambar Bhagat, Son of Motilal Bhagat,
7. Firangi Lal, Son of Motilal Bhagat,
8. Nageshwar Singh, Son of Late Nand Kumar Singh, Respondents No. 6-8 resident of Nawka Tola, Mairwa, P.S.- Mairwa, District Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Adv.
For the Respondent/s	:	Mr.Raj Kishore Roy-Gp18
For Respondent No.8	:	Dr. Umashankar Prasad, Sr. Adv. Mr. Kamala Kant Tiwary, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 23-08-2022 Though, the present writ petition was filed for setting aside the notice dated 20.02.2018 issued by the Circle Officer, Mairwa i.e. Respondent No.,4 u/s 6(2) of the Bihar Public Land Encroachment Act, 1956, however, it has transpired from the counter affidavit filed by the Respondent State that the Respondent no. 4 has passed the final order in the ongoing Encroachment Case No. 1 of 2015-16 on 20.02.2018, whereafter the said notice u/s 6(2) of the Act, 1956 was issued on the same



day i.e. 20.02.2018. In such view of the matter, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 20.02.2018 by filing appropriate appeal, however, seeks some protection during the interregnum period.

Accordingly, the writ petition stands disposed of with liberty to the petitioner to challenge the order dated 20.02.2018 passed by the Respondent no.4 by filing appropriate appeal before the appellate authority and in case such an appeal is filed within a period of four weeks from today, no coercive action shall be taken against the petitioner till the disposal of the appeal.

(Mohit Kumar Shah, J)

Tiwary/-

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