

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16253 of 2022

1. Kiran Devi Wife of Ajay Singh, Resident of Village- Nehusa Bigha, P.S.- Harnaut, District- Nalanda.
2. Ramnagina Singh Son of Late Vinda Singh, Resident of Village- Nehusa Bigha, P.S.- Harnaut, District- Nalanda.
3. Ramanand Prasad Son of Chandeshwar Singh, Resident of Village- Nehusa Bigha, P.S.- Haunaut, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Nalanda.
3. The Circle Officer, Harnaut, District-Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-12-2022 The challenge in the present writ petition is to the notice issued by the Circle Officer, Harnaut, under Section 6(2) of the Bihar Public Land Encroachment Act, 1956.

The learned counsel for the Respondent-State has filed a counter affidavit, which is taken on record.

The learned counsel for the Respondent-State has referred to the counter affidavit, filed in



the present case and has submitted that the Circle Officer, Harnaut, District-Nalanda has passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in connection with Encroachment Case No. 3/2022-23, order-sheet whereof has been annexed as Annexure-C series to the present writ petition, hence, in case the petitioners are aggrieved by the said order, they can file appropriate appeal.

At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the final order passed by the Circle Officer, Harnaut, District-Nalanda in connection with Encroachment Case No. 3/2022-23, 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 thereon, in accordance with law and till then, status quo, existing as on today



qua the land /houses of the petitioners in question,
shall be maintained.

The writ petition stands disposed of on the
aforesaid terms.

(Mohit Kumar Shah, J)

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