

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25223 of 2019

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Ramchandra Prasad Gupta S/o Late Jibachh Prasad Gupta Resident of
Mohalla Pitergachhi, P.S.- Town, and District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector Darbhanga
3. Additional Collector Darbhanga
4. Anchal Adhikari Sadar, Darbhanga

... .. Respondent/s

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with
Civil Writ Jurisdiction Case No. 25430 of 2019

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Ram Babu Choudhary Son of late Awadh Choudhary, Resident of Village
Donar, P.S. Town, and District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Darbhanga.
3. Additional Collector, Darbhanga.
4. Anchal Adhikari, Sadar, Darbhanga.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 25223 of 2019)

For the Petitioner/s : Mr. Ganpati Trivedi, Sr. Advocate
Mr.Lovekush Kumar, Advocate

For the Respondent/s : Mr.Rishi Raj Sinha (Standing Counsel-19)

(In Civil Writ Jurisdiction Case No. 25430 of 2019)

For the Petitioner/s : Mr. Ganpati Trivedi, Sr. Advocate
Mr.Lovekush Kumar, Advocate

For the Respondent/s : Mr.Sajid Salim Khan (Standing Counsel-25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

10 04-08-2022 In both the aforesaid two writ petitions, though the

petitioners have prayed for quashing of the land encroachment

case in question initiated by the Circle Officer, Sadar



Darbhanga, but during the interregnum period the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, has been passed by the Circle Officer, Sadar Darbhanga i.e. the respondent no. 4, hence the learned senior counsel for the petitioners seeks liberty on behalf of the petitioner of the aforesaid two writ petitions to prefer an appeal, however, seeks some protection, in the meantime.

Accordingly, the aforesaid two writ petitions stand disposed off with liberty to the petitioners to file appropriate appeal and in case appropriate appeals are filed within a period of four weeks from today, status quo existing as on today qua the land/shop/house in question, shall be maintained till the final orders are passed in the appeals to be filed by the petitioners.

It is needless to state that in case the petitioners file appropriate appeals within a period of four weeks from today, the appeals shall be decided on merits without the appellate authority being impeded by the issue of limitation.

At this juncture, the learned senior counsel for the petitioners seeks a direction upon the appellate authority to decide the appeals to be filed by the petitioners within a stipulated time frame.

Accordingly, it is directed that in case appropriate



appeals are filed by the petitioners within a period of four weeks, the same shall be disposed off by the appellate authority within a period of 12 weeks, thereafter.

(Mohit Kumar Shah, J)

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