

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5058 of 2017

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1. Rajkumar Vishwakarma
 2. Birju Vishwakarma, Both sons of Late Darogi Lohar,
 3. Deonandan Mistry,
 4. Hari Nandan Vishwakarma, Both sons of Late Sheocharan Lohar, All resident of Village- Donaiya, P.O.- Fatehpur, P.S. and Anchal- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Commissioner, District- Gaya.
4. The Collector, Gaya.
5. The Anchal Adhikari, Fatehpur Anchal, District- Gaya.
6. The District Education Officer, Gaya.
7. The Mukhia, Gram Panchayat Raj Donaiya, Dumarichatti, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha-Sc19

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-04-2023 The present writ petition has been filed seeking the following reliefs:-

"(i)For a direction/directions, order/ orders to the respondent authorities to stay the proceeding of Encroachment case No. 2/Sa Fatehpur Gaya dated 16-17 issued dated 20/03/2017 by the C.O. Fatehpur, Gaya whereby the petitioners have been ordered to remove the structure by 27/03/2017 otherwise the cost of Demolition will be charged



upon you in respect of village- Donaiya, Thana No. 591, Khata No. 220, Plot No. 661, having its area as 1892 Sq.feet. i.e.43' x 44'.

(ii) For a direction/directions, order/orders to the Respondents for a sympathetic Consideration in the matter because the proceeding has been initiated only after the legal notice of petitioner dated 06.03.17 received by the authority concern."

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to file appropriate appeal against the final order passed by the Circle Officer, Fatehpur, District-Gaya, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No.02 of 2016-17. Liberty so sought is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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