

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4360 of 2017

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Ravi Shankar Singh S/o Late Chandra Shekhar Singh @ Chandeshwar Singh,
resident of Village and P.O.- Khadsand, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reform, Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The District Magistrate, Darbhanga.
4. Circle Officer, Kalyanpur, Samastipur.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-04-2023 The present writ petition has been filed seeking the

following relief:-

“1.That this application by petitioner a citizen of India, for issuance of an appropriate writ/order/direction setting aside the notice issued in case no. 05/2016-17, dated 25/01/2017, by Circle officer, Kalyanpur, whereby and where under the Circle Officer without any appropriate proceeding and on erroneous consideration issued order/ direction to the petitioner to vacate the 7 dec. land of Khata no. 512, plot no. 2676, Thana no. 75, in village Khadsand, P.S.- Chakmehsi, alleging to be encroached by the petitioner and the same being public land despite the fact that the land in question has been settled by the ex- land lord in favour of ancestor of petitioner and accordingly recorded in khatian and petitioner is making payment of rent regularly to the state of Bihar and accordingly getting rent receipt and for



grant of any other suitable relief/ reliefs for which petitioner is found entitled in the eye of law.”

At the outset, the learned counsel for the respondent-State has submitted that the Circle Officer, Kalyanpur has passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 on 25.01.2017, in connection with Encroachment Case No. 05 of 2016-17.

In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appeal, challenging the aforesaid order dated 25.01.2017. Liberty so sought is granted.

It is needless to state that for a period of four weeks from today, status quo existing as on today qua the land/house of the petitioner in question shall be maintained, in order to enable the petitioner to file appropriate appeal and obtain interim orders.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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