

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8050 of 2017

1. Kumar Anjani S/o Late Ramjee Singh,
2. Rakesh @ Ranjan, S/o Late Ganpat Singh,
3. Rampati Singh, S/o Late Sitaram Singh,
All residents of Vill+P.O.- Deokhaira, P.S.- Kochas, Distt- Rohtas.
... .. Petitioner/s

Versus

1. The State Of Bihar
2. The State of Bihar through Principal Secretary, Department of Revenue,
Govt. of Bihar, Patna.
3. The District Magistrate, Rohtas.
4. The Additional District Magistrate, Rohtas.
5. The Sub-Divisional Officer, Rohtas.
6. The Circle Officer, Kargahar, Rohtas.
... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Waliur Rahman, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam- AAG-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-04-2023 The present writ petition has been filed
seeking the following reliefs:-

*“1) For quashing the purported
notice dated 08/05/2017 in a general
Land Encroachment Case No-26/16-17,
under Bihar Public land Encroachment
Act 1956 (Amended Act 2012) u/s 6
amended 2(i)(ii)(2) pursuant to the an
order passed by this Hon'ble Court in
C.W.J.C. No-3409/2015 and asked the
petitioner to vacate the premises, where
the petitioners residing more than sixty*



years after construct their house there upon.

(ii) For further direct the respondent authority not to dispossess the petitioner from the land in question without following the procedure as prescribed under the Bihar Public Land Encroachment Act taking into consideration the principal of Audi alteram partem.

(iii) For further direction to the authorities to restrain the respondents not to dispossess the petitioners from there house over the land in question till the disposal of the writ petition."

Considering the nature of reliefs sought for in the present writ petition, I deem it fit and proper to grant liberty to the petitioners to approach the respondent-authorities for redressal of their subsisting grievances.

Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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