

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16087 of 2017

1. Satya Narain Paswan Son of late Thithar Paswan
2. Meena Kumari, Daughter of late Thithar Paswan.
3. Dashrath Paswan.
4. Laxmi Paswan. Both Sons of Bhola Paswan.
5. Upendra Paswan, Son of late Sone Lal Paswan.
6. Gita Kumari, Daughter of Late Sone Lal Paswan. All are resident of New Colony near Sadar Hospital Ward No. 9, P.O., P.S. and District-saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna.
2. The Under Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Kosi Division, Saharsa.
4. The District Magistrate-cum-Collector, Saharsa.
5. The Circle Officer, Kahra Block, District-Saharsa.
6. The Revenue Clerk, Halka No. 12, Kahra Anchal, District saharsa.
7. The Anchal Amin Kahra Anchal, District-Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra,Adv.
For the Respondent/s : Mr.Rishi Raj Sinha ,SC-19

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-05-2023 Though the present writ petition has been filed for quashing the notice dated 22.09.2017, issued by the Circle Officer, Kahra, District-Saharsa i.e. respondent no. 5, in connection with Encroachment Case No. 3 of 2019-20, however, the learned counsel for the respondent-State, by referring to the counter affidavit filed in the



present case has submitted that the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, has already been passed by the respondent no. 5, which is annexed as Annexure-B to the counter affidavit, filed in the present case.

In view of the aforesaid, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid final order passed by the respondent no. 5, 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 hear the same on merits without being impeded by the issue of limitation and pass a reasoned and a speaking order, in accordance with law, forthwith.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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