

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19333 of 2017

1. Md. Kasim, son of Late Mumtaj Ali
2. Marjan Ali, son of Jainul Aabedin
3. Mr. Jomin @ Jamiruddin, son of Abdulo Rahim
4. Majibur Rahman, son of Emajuddin
5. Noor Mohammad, son of Abdul Rahim
6. Putul Ravidas, son of Aaso Ravidas
7. Enamul Haque, son of Tohimuddin
8. Md. Saifuddin, son of Gyasuddin
9. Md. Halim, son of Late Abdul Rahim
10. Nek Mohammad, son of Amiruddin
11. Barkat Ali, son of Amiruddin
12. Md. Mustafa, son of Amiruddin
13. Jugesh Ravidas, son of Aasu Ravidas
14. Md. Husain Ali, son of Late Saufar Ali
15. Md. Halim @ Abdul Halim, son of Late Akimuddin
16. Md. Hakim, son of Akimuddin
17. Azad Ali, son of Salmant
18. Md. Saidur @ Saidur Rahman, son of Akimuddin
19. Md. Farukh, son of Md. Azimuddin
20. Md. Zahir Ali, son of Sadakas Ali
21. Mainul Haque, son of Aish Mohammad
22. Md. Mohsin, son of Amiruddin
23. Md. Ketamuddin, son of Md. Islam Ali
24. Abdul Basir @ Md. Basir, son of Tafizul Haque
25. Md. Ejabul Haque, son of Buniyad Ali
26. Md. Sayeed, son of Md. Gyas
27. Md. Hussain son of Amiruddin
28. Jullu Rahman, son of Javed Ali, All are Resident of Kantadih, P.S.- Kadwa, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate, Katihar.
3. The Sub- Divisional Officer, Katihar.



4. The Circle Officer, Kadwa, Katihar.
5. The District Settlement Officer, Katihar.
6. The Union of India through the Secretary, Department of Road Transport and Highways, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC- 25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-04-2023 The present writ petition has been filed
seeking the following relief:-

“1. That, this is an application for issuance of an appropriate writ, order or direction quashing the notice dated 03.10.2017 and 13.11.2017 issued by the Circle Officer, Kadwa in Encroachment Case No. 01 of 2015-16/3 of 2016-17, whereby the petitioners have been asked show cause as to why the Encroachment has not been removed. Further direct the respondent concerned to make proper arrangement for shelter/rehabilitation of the petitioners, who are landless persons and residing over the land in question for the last 35 years.”

At the outset, the learned counsel for the respondent- state has referred to the counter affidavit filed in the present case to submit that the



Circle Officer, Kadwa, District- Katihar has already passed the final order in connection with Encroachment Case No. 01 of 2015-16/ 01 of 2017-18 and the encroachment in question has also been removed.

At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent authorities for redressal of their grievances including filing of an appeal against the final order passed by the Circle Officer, Kadwa, District- Katihar. Liberty so sought is granted.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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