

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2241 of 2023

=====

Mantu Prasad @ Shailendra Prasad Son of Late Deoki Nandan Prasad,
Resident of Village- Sakrordha, P.O.- Bhubhi, P.S.- Nagarnausa, District-
Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Govt. of Bihar, Patna.
2. Principal Secretary, Land Reforms and Revenue Department, Govt. of Bihar, Patna.
3. District Magistrate cum Collector, Nalanda at Bihar Sharif.
4. Superintendent of Police, Nalanda at Bihar Sharif.
5. Sub-Divisional Officer, Hilsa, District- Nalanda.
6. Deputy Collector, Land Reforms, Hilsa, District- Nalanda.
7. Circle Officer, Nagarnausa Block, P.S.- Nagarnausa, District- Nalanda.
8. Station House Officer, Nagarnausa Police Station, District- Nalanda.
9. Sunil Kumar Son of Late Chandeshwar Mahto, Resident of Village- Sakrordha, P.O.- Bhubhi, P.S.- Nagarnausa, District- Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr. Advocate Mr. Ritesh Kumar, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy (GP-18)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-03-2023 In pursuance to the earlier order of this Court, a counter affidavit has been filed, in the present case, by the learned counsel for the respondent-State, wherein an order dated 23/28.12.2022, passed by the Circle Officer, Nagarnausa, District-Nalanda, in connection with Encroachment Case No.05



of 2022-23, has been annexed, which is stated to be the final order passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

In view of the aforesaid, the learned senior counsel appearing for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 23/28.12.2022, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection during the interregnum period.

Accordingly, the present writ petition stands disposed off as not pressed, however, with liberty to the petitioner to file appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, against the aforesaid order dated 23/28.12.2022 and in case such an appeal is filed within a period of four weeks from today, the appellate authority shall dispose off the same forthwith, by passing a reasoned and a speaking order, in accordance with law.

It is needless to state that in case appropriate appeal is filed by the petitioner, within 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 till passing of the final order by the Appellate Authority.



The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

kanchan/Saurav

U			
---	--	--	--

