

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5120 of 2023

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Satish Kumar S/o Muneshwar Mahto Resident of Village- Khandpar, P.S. and District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Revenue Govt. of Bihar New Secretariat, Patna.
2. The Circle Officer, Sheikhpura.
3. The Sub-Divisional Officer, Sheikhpura.
4. The District Magistrate, Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar, Adv.
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-10-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1.(A) For that the writ in the nature of Mandamus commanding the petitioner with prayer from Hon'ble Court to set aside the land encroachment case No.07/2020-2021 initiated by the Circle Officer and further direct the Respondent to settle the land in favour of the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 29.01.2022, passed by the Circle Officer, Sheikhpura, in connection with Encroachment Case No. 7 of 2020-21, by filing appropriate appeal under Section 11 of the Bihar Public Land



Encroachment Act, 1956. Liberty so sought is granted.

3. 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 an appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, along with a petition for grant of interim relief. In case appropriate appeal is filed within a period of four weeks from today, the same shall be considered by the appellate authority on merits, without being impeded by the issue of limitation.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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