

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2612 of 2023

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Ravi Kant Thakur Son of Bhoopnarayan Thakur Resident of Village- Pahlam,
Anchal- Banma Ithari, P.S.- Salakhua, O/P Banma Itahari, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Saharsa.
2. The District Magistrate, Saharsa.
3. The Sub-Divisional Magistrate, Simari Bakhtiarpur, Saharsa.
4. The Circle Officer, Simari Bakhtiarpur, District- Saharsa.
5. The Circle Inspector, Simari Bakhtiarpur, Circle- Simari Bakhtiarpur,
District- Saharsa.
6. The Anchal Amin, Anchal- Simari Bakhtiarpur, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-10-2023 1. The present writ petition has been filed seeking the
following relief(s):-

*“1. That this writ application is being filed for
issuance of direction/directions, order/orders to
the Respondents, most particularly Respondent
No.4 the Circle Officer to restore the position of
purchased land of the Petitioner vide Khata
No.11, Khesra No. 858, Area 13.10 dec,
Jamabandi No. 290 of the year 1968, for which
petitioner is paying rent to the State of Bihar
under Anchal-Simari Bakhtiarpur as Respondent
No.4 without serving any notice/show cause to
the Petitioner in arbitrarily manner and further
demolished the dwelling house of the Petitioner*



and forcibly took the position of purchased land of the Petitioner for construction of the road without paying any compensation to the petitioner and any other relief/reliefs for which your Lordships may deem fit and proper.”

2. At the outset, the learned counsel for the respondent-State seeks to file a counter affidavit, which is taken on record, wherein the final order dated 01.12.2022, passed by the Circle Officer, Simari Bakhtiarapur, District- Saharsa, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, has been brought on record.

3. The learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 01.12.2022, by filing appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

4. 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.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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