

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3988 of 2023

1. Vinod Kumar @ Vinod Yadav Son of- Vasudev Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.
2. Vijay Yadav, Son of- Late Ramvilash Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.
3. Vinesh Yadav, Son of Krit Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.
4. Ram Lakhan Yadav, S/o- Late Yadu Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.
5. Anil Kumar Prabhakar, S/o- Bhuletan Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.
6. Mungeshwar Yadav, S/o- Late Govardhan Yadav, Resident of- Akhtiyarpur, P.S.- Alipur, District- Gaya.
7. Kamlesh Yadav, S/o- Chandrika Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.
8. Mithilesh Yadav, S/o- Late Parmeshwar Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.
9. Durgesh Yadav, S/o- Lalan Yadav, Resident of- Kuseta, P.S.- Alipur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gaya.
2. The Sub- Divisional Officer, Tekari, Gaya.
3. The Circle Officer, Tekari, Gaya.
4. The Officer-in- Charge, Tekari Police Station, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Adv.
For the Respondent/s	:	Mr.Raj Kishore Roy (Gp18)
		Mr. Prerna Anand, Ac to GP-18

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-04-2023 Though the present writ petition has been filed for quashing the notice, issued under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act, 1956') in connection with Encroachment Case No. 13



of 2022-23, which is dated 31.1.2023, however, a counter affidavit has been filed in the present case, which has been taken on record, wherein it has been admitted that no final order under Section 6(1) of the Act, 1956, has been passed. Hence, it is submitted by the learned counsel appearing for the Respondent-State that the petitioners, if so advised, may file their respective replies / objections within a period of four weeks from today, whereupon the Circle Officer, Tekari, Gaya, shall pass the final order under Section 6(1) of the Act, 1956.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioners to file their replies / objections in connection with the aforesaid Encroachment Case No. 13 of 2022-23, within a period of four weeks from today, whereupon the Circle Officer, Tekari, Gaya, shall take the same into consideration and pass the final order under Section 6(1) of the Act, 1956 and till then, status quo, existing as on today qua the land / houses of the petitioners, shall be maintained.

It is needless to state that in case, no replies / objections are filed by the petitioners, within a period of four weeks from today, the aforesaid protection, being granted to the petitioners, shall stand vacated automatically.



The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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