

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6174 of 2023

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Sudha Devi @ Sudha Kumar Wife of Late Amresh Kumar, Resident of
Defence Colony, Shahpur, P.S. Shahpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Land Reforms and Revenue, Patna.
2. The District Magistrate, Patna.
3. The Sub-Divisional Magistrate, Danapur.
4. The Circle Officer, Danapur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-06-2023 Though the present writ petition has been filed for quashing the notice dated 19.4.2023, issued by the Circle Officer, Danapur, in connection with Encroachment Case No. 9 of 2022-23, however, the learned counsel for the Respondent-State has filed a counter affidavit, wherein an order dated 30.12.2022, passed by the Circle Officer, Danapur, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No. 9 of 2022-23, has been brought on record.

In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 30.12.2022, passed by the Circle



Officer, Danapur, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection during the interregnum period.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off of the present writ petition with liberty to the petitioner to file appropriate appeal, challenging the aforesaid order dated 30.12.2022 and in order to enable her to file the said appeal and seek interim orders, I direct that status quo, existing as on today, qua the land / house of the petitioner in question, shall be maintained for a period of four weeks from today.

(Mohit Kumar Shah, J)

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