

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8975 of 2023

=====

Ram Pravesh Paswan Son of Late Yugeshwar Paswan Resident of Village-Ahiyasa, Post-Mohiuddinpur, Police Station and Anchal-Ghoshi, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate cum Collector, Jehanabad.
2. The Deputy Collector Land Reforms, Jehanabad.
3. The Sub Divisional Officer Jehanabad.
4. The Circle Officer, Ghoshi Jehanabad.
5. Manoj Paswan Son of Late Kameshwar Paswan Resident of Village-Ahiyasa, Post-Mohiuddinpur, Police Station-Anchal -Ghoshi, District-Jehanabad.
6. Budheshwar Paswan Son of Late Babulal Paswan Resident of Village-Ahiyasa, Post-Mohiuddinpur, Police Station and Anchal -Ghoshi, District-Jehanabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Singh, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-11-2023 The present writ petition has been filed
seeking the following relief:-

*"1. That this writ petition is being
filed by the petitioner for issuance
of a writ/ writs, order/ orders,
direction/ directions for
commanding the respondents to
allow the petitioner to construct the
demolished house on the land
pertaining Khata No. 19, Khesra No.
928/811, area 03.064 decimal,*



which is Garmajarua Aam in nature and on aforesaid land the ancestor of the petitioner had constructed house and living/ residing since last 200 years back. The Circle Officer Ghoshi, Jehanabad had demolished the house of petitioner on 21.09.2022 without considering the facts and situation that the petitioner is a landless and privileged person and also belonging to Scheduled Caste category."

2. At the outset, the learned counsel for the respondent-State has referred to the counter affidavit filed in the present case to submit that the Circle Officer, Ghoshi, District-Jehanabad has already passed the final order dated 23.08.2022 under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956'), in connection with Encroachment Case No. 2 of 2022 and the encroachment has also stood removed.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf



of the petitioner to challenge the aforesaid order dated 23.08.2022 by filing appropriate appeal under Section 11 of the Act, 1956. Liberty, so sought, is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

