

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11265 of 2022

=====

Ram Pravesh Roy Son of Late Akal Roy, Resident of Village and P.O.-
Konaila, Police Station- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Commissioner Darbhanga Division, Darbhanga.
3. The District Magistrate/Collector, Samastipur.
4. The Deputy Collector, Collectorate, Samastipur.
5. The Sub-Divisional Officer, Dalsingsarai, District- Samastipur.
6. The Block Development Officer, Dalsingsarai, District- Samastipur.
7. The Circle Officer, Dalsingsarai, District- Samastipur.
8. The Superintendent of Police, Samastipur.
9. The Officer Incharge, Police Station, Dalsingasrai, District- Samastipur.
10. Achyut Kumar Issar @ Achyutanand Kumar Issar Son of Rajni Kant Issar,
Resident of Village and P.O.- Konaila, Police Station- Dalsingsarai, District-
Samastipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC 25)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-06-2023 Though the present writ petition has been filed for quashing the notice dated 11.03.2022, issued by the Circle Officer, Dalsingsarai, Samastipur in connection with Encroachment case no. 18 of 2011-12, whereby and whereunder the petitioner has been directed to remove the encroachment in question, however, the learned counsel for the respondent- State has filed a counter affidavit as also has handed over a copy of the order dated 19.07.2021, passed by the Circle Officer,



Dalsingsarai under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, to this Court, which has been taken on record, wherein it has been held that 09 persons have encroached the land in question, which is a public land.

In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 19.07.2021, passed by the Circle Officer, Dalsingsarai, by filing appropriate appeal, however seeks some protection during the interregnum period.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to dispose off the present writ petition with liberty to the petitioner to challenge the aforesaid order dated 19.07.2021, by filing appropriate appeal. It is needless to state that for a period of eight weeks from today, no coercive action shall be taken against the petitioner, so as to enable him to file appropriate appeal.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

rinkee/-

U			
---	--	--	--

