

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12773 of 2022

1. Pankaj Kumar Prabhakar Son of Baban Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
2. Lal Bachan Paswan @ Lalabachan Paswan, S/o Late Phulan Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
3. Shankar Paswan @ Shiv Shankar Ram son of Late Zakakar Paswan @ Zakakar Ram, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
4. Saroj Paswan @ Saroj Kumar, S/o Late Mahagu Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
5. Dadan Paswan @ Dadan Prasad Son of Late Ramdeo Ram @ Ramdeo Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
6. Nand Keshwar Paswan @ Nandlal Paswan son of Late Lalmuni Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
7. Bhagwan Paswan @ Shri Paswan, son of Late Kailash Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
8. Sudarshan Paswan, son of Late Sipahi Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
9. Ram Ekbal Paswan @ Dinanath Paswan Son of Late Bhagirath Paswan @ Bhagirathi Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
10. Balishtar Paswan son of Late Bhagirath Paswan @ Bhagirathi Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
11. Ajay Paswan, son of Shikkhi Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
12. Sanjay Paswan, s/o Late Shikkhi Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.
13. Shiv Murat Paswan son of Late Jhakad Paswan @ Jhakan Paswan, resident of Village-Bahera, Anchal-Rampur, P.S. Belaon, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Kaimur at Bhabua.
4. The D.C.L.R. Kaimur at Bhabua.



5. The Anchal Adhikari, Rampur, District-Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kamala Kant Tiwary, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (Standing Counsel-19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2023 Though the present writ petition has been filed seeking to challenge the various notices issued by the Circle Officer, Rampur, District-Kaimur in connection with Encroachment Case No. 1 of 2022, issued under Section 3 of the Bihar Public Land Encroachment Act, 1956, however, the learned counsel for the petitioners has submitted that the same is in the nature of final order, akin to the one usually passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 inasmuch as the petitioners have been directed to remove encroachment, hence the said notices are illegal and fit to be set aside.

The learned counsel for the respondent-State submits that in case the petitioners file appropriate representations/objections within a stipulated time frame, the same shall be



considered in accordance with law and appropriate orders shall be passed by the Circle Officer, Rampur, under Section 6(1) of the Bihar Public Land Encroachment 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 appropriate objections/representations before the Circle Officer, Rampur, District-Kaimur in the aforesaid Encroachment Case No. 1 of 2022, within a period of three weeks from today, whereupon the Circle Officer, Rampur, District-Kaimur shall consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, forthwith.

It is needless to state that in case appropriate objections/representations are filed by the petitioners within a period of three weeks from today, status quo existing as on today qua the land/ houses of the petitioners in question shall be maintained till passing of the final order under Section 6(1) of the Bihar Public Land Encroachment



Act, 1956.

The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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