

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13832 of 2023

1. Nilesh Kumar Son of Late Panchdeo Singh, Resident of Village - Korari Khurd, P.O. and P.S.- Duraunda, District- Siwan.
2. Tunni Sah @ Krishna Sah, Son of Late Sundardeo Sah, Resident of Village - Korari Khurd, P.O. and P.S.- Duraunda, District- Siwan.
3. Bachcha Tiwary, Son of Bijendra Tiwary, Resident of Village - Korari Khurd, P.O. and P.S.- Duraunda, District- Siwan.
4. Bashishth Singh, Son of Late Jamuna Rai, Resident of Village - Korari Khurd, P.O. and P.S.- Duraunda, District- Siwan.
5. Bhanu Pratap Singh, Son of Late Birendra Kumar Singh, Resident of Village - Korari Khurd, P.O. and P.S.- Duraunda, District- Siwan.
6. Amarendra Kumar Singh, Son of Late Ram Naresh Singh, Resident of Village - Korari Khurd, P.O. and P.S.- Duraunda, District- Siwan.
7. Chandrama Tiwary, Son of Late Ramjatan Tiwary, Resident of Village - Korari Khurd, P.O. and P.S.- Duraunda, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Collector, Siwan.
3. The Deputy Collector Land Reforms, Siwan.
4. The Sub- Divisional Officer, Siwan.
5. The Circle Officer, Duraunda, District- Siwan.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11942 of 2023

Umashankar Tivari Son of Ramjatan Tivary Resident of Village Karari Khurs, P.S. Daronda, District-Siwan, Bihar-84133.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Siwan, Bihar.
2. The Distirct Magistrate, Siwan, Bihar.
3. The Circle Officer, Daronda, Siwan.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 13832 of 2023)

For the Petitioner/s : Mr. Sumit Kumar, Adv.

For the Respondent/s : Mr.Rishi Raj Sinha , SC-19

Mr. Atul Shankar, AC to SC-19



(In Civil Writ Jurisdiction Case No. 11942 of 2023)

For the Petitioner/s : Mr.Vivek Kumar Singh

For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 10-10-2023 Though in both the aforesaid two writ petitions, notices, issued to the petitioners, under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), have been challenged, however, the learned counsel for the Respondent-State has filed a counter affidavit in the second case, which has been taken on record, wherein the final order dated 12.7.2023, passed by the Circle Officer, Daronda, District-Siwan, in connection with Encroachment Case No. 3 of 2021, under Section 6(1) of the Act, 1956, has been annexed.
2. In view of the aforesaid, the learned counsel for the petitioners of the aforesaid two cases seek liberty on behalf of the petitioners to challenge the aforesaid order dated 12.7.2023, by filing appropriate appeal under Section 11 of the Act, 1956. Liberty so sought is granted.
3. It is needless to state that status quo, existing as on today qua the land / houses of the aforesaid petitioners in question, shall be maintained for a period of four weeks from today, in order to enable the aforesaid petitioners to file appropriate appeal along with a petition for grant of interim relief.



4. The writ petitions stand disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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