

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13473 of 2023

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Gopal Das Son of Mahendra Das, R/o Village- Basatpur Colony, P.S.-
Mufassil, Motihari, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Department of Revenue and Land Reforms, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Sub-Divisional Public Grievance Redressal Officer, Motihari Sadar, East Champaran, Motihari.
4. The Circle Officer, Block- Chhatauni, East Champaran, Motihari.
5. Ravi Bhushan Sen, Son of Shri Pranvanshi Sen, Resident of Mohalla-
Mathiya Zirat, Ward No. 15, Near NH-28, P.O Motihari, P.S.- Chhatauni,
District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Tiwari, Advocate
For the State	:	Mr.Rishi Raj Sinha (Sc19)
		Mr.Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-10-2023 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) For issuance of an appropriate writ for
direction to respondent authorities to stay the
encroachment proceeding of Encroachment case
No. 11/2022-23 till the outcome of the
application dated 19.05.2023 filed by the wife of
the petitioner before the District Magistrate,
East Champaran, Motihari (respondent No. 02)
and further prayed for direction to respondent
authorities to take no-coercive action against
the petitioner in connection with Encroachment
Case No. 11/2022-23 for removal of his*



possession.”

2. At the outset, the learned counsel for the respondent-State seeks to file a counter affidavit, which is taken on record, wherein it has been stated that the Circle Officer, Block-Chhatauni, East Champaran, Motihari, has passed the final order dated 27.03.2023, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No.11 of 2022-23, hence in case the petitioner is aggrieved, he can file an appeal.

3. The learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 27.03.2023, passed by the Circle Officer, Block-Chhatauni, East Champaran, Motihari, by filing appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection, during the interregnum period. Liberty so sought is granted.

4. It is needless to state that for a period of four weeks from today status quo existing as on today qua the land/house of the petitioner in question shall be maintained.

5. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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