

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1757 of 2023

1. Md. Akhtar Md. Sultan Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
2. Mohammad Nurulla Son of Mohammad Umar Ali Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
3. Md. Asharaf Son of Md. Sadik Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
4. Md. Asgar @ Asgar Son of Moin Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
5. Savnam Khatun Wife of Nizam Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
6. Md. Khalik Shah Son of Vajuddin Shah Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
7. Shamida Khatun Wife of Salauddin Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
8. Mohd. Hasim Son of Md. Sultan Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
9. Jiyauddin @ Md. Jiyauddin Son of Gafar Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria
10. Noshad Mian Son of Gafar Resident of Village- Meghouna, P.S.- Alauli and District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar through the principle Secretary, Department of Revenue and Land Reforms, Govt. of Bihar Patna.
2. The District Magistrate Cum District Collector, Khagaria
3. The Additional Collector, Khagaria, Bihar
4. The District Fishery Officer cum Chief Executive Officer, Khagaria
5. The D.C.L.R, Khagaria
6. The Circle Officer, Alauli, Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP 18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH



ORAL ORDER

2 18-03-2023 Though the present writ petition has been filed seeking quashing of the notice dated 03.02.2021, issued to the petitioners in connection with Encroachment case no. 06 of 2020-21 and Encroachment case no. 04 of 2020-21 under the provisions of the ***Bihar Public Land Encroachment Act, 1956***, however, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to file appropriate show cause reply and till passing of the final order under Section ***6(1) of the Bihar Public Land Encroachment Act, 1956***, seeks some protection.

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 petitioners to file appropriate show cause reply to the aforesaid notices, issued in the aforesaid Encroachment proceedings, within a period of four weeks from today, whereupon the Circle Officer, Alauli, Khagaria shall consider the same and pass the final orders under Section ***6(1) of the Bihar Public Land Encroachment Act, 1956***, in accordance with law and till then, *status quo* existing as on today *qua* the land/ house



of the petitioners in question, shall be maintained.

The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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