

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3230 of 2024

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Mohammad Sahabudin Ansari @ Sahabudin Ansari S/o Ramjan Ansari, R/o
Vill.- Kurthiya, P.S.- Bagengola, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Revenue Department,
Govt. of Bihar, Patna.
2. The Dist. Magistrate, Buxar.
3. Dy. Director of Land Protection Officer cum Dist. Agriculture Officer,
Buxar.
4. The Sub Divisional Officer Dumraon, Buxar.
5. The Circle Officer Brahampur, Buxar.
6. The S.H.O., Brahampur, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar, Adv.
For the Respondent/s	:	Mr.Sajid Salim Khan, SC-25 Mr.Arif Daula Siddiqui, AC to SC-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-06-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1. That the present writ petition is being filed for
issuance of appropriate writ/writs, order/orders,
direction/directions to the Respondents to give
direction to the respondents no- 2 to 6 to take
necessary action against who are going to
demolish the house of the petitioner on the land
vide Thana No-290, Khata No-107, Khesra No-
514 area 21 decimals the said land has been
purchased by the petitioner & others in the year
1979-80 from Ram Sundari S/o Rampriti Bari and*



since then they are residing peacefully on the land where the Circle Officer has initiated encroachment proceeding no- 04/2023/24 vide order dt. 07.07.2023, so necessary order may be passed after fresh measurement of the plot of the petitioner if found encroachment then petitioner is ready to remove the encroachment, for stay the action of demolishing the house of petitioner because the petitioner has Purchased the said land in question in the year 1979-80 and living there. So, your lordships may pass appropriate order and necessary action may be taken against respondents no 2 to 6 have illegally wants to harass the petitioner by trying to demolish the house of petitioner. And he is not encroachers he is owner of the said land, as per the above facts.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the final order dated 07.07.2023, passed by the Circle Officer, Brahampur, District-Buxar, by filing appropriate appeal. Liberty so sought is granted.

3. It is needless to state that in case appropriate appeal is filed, against the aforesaid order dated 07.07.2023, under Section 11 of the Bihar Public Land Encroachment Act, 1956, before the Appellate Authority, within a period of six weeks from today, the Appellate Authority shall hear the appeal on



merits, without being impeded by the issue of limitation and pass appropriate orders, in accordance with law, forthwith.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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