

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2757 of 2024

1. Manju Chaudhary Son of Baleshwar Chaudhary Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
2. Gurudev Manjhi Son of Bothan Manjhi Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
3. Ram Gulam Manjhi @ Ram Munna Manjhi Son of Prabhu Manjhi Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
4. Ram Pyare Manjhi Son of Prabhu Manjhi Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
5. Nandlal Das @ Nandlal Ravidas, Son of Balkeshwar Ravidas Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
6. Durga Devi @ Durgi Devi Wife of Bhulak Das Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
7. Birju Chaudhary Son of Baijnath Chaudhary Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
8. Mannu Manjhi Son of Late Rajo Manjhi @ Rajendra Manjhi Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
9. Kranti Devi Wife of Churaman Das Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
10. Ganga Chaudhary @ Gango Chaudhary Son of Baleshwar Chaudhary Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
11. Kamlesh Chaudhary Son of Baijnath Chaudhary Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
12. Harinandan Chaudhary @ Harinandan Kumar Son of Sughan Chaudhary @ Bechan Chaudhary Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
13. Chandan Chaudhary Son of Sughan Chaudhary Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.
14. Sughan Choudhary Son of Mahgu Choudhary Resident of Village- Manpur, P.S.- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Government of Bihar, Patna.
2. District Magistrate, Lakhisarai.
3. The Circle Officer, Halsi Anchal, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar, Adv.
For the Respondent/s	:	Mr.Government Pleader 6



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). That an appropriate writ may be issued setting aside the order dated 02.09.2023 passed by Magistrate, the District the Respondent no.2 in encroachment Appeal Case No. 4/2023 as contained in Annexure-5 whereby the Respondent no 2 has been pleased to direct the Respondent no. 3 to take action for removal of encroachment from the plots in question whereas it will be evident from the Report of the Respondent no. 3 that all the petitioners are beneficiaries of Indira Awas Yojna and residing in Indira Awas Yojna houses, which are standing over the plots in question except the petitioner no. 9, who is Bandabasti parcha holder while the petitioner no. 10 and 11 are rayati deed holders as also beneficiaries of Indira Awas Yojna.”

2. After some arguments, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to avail such other alternative remedies as are otherwise available under the law including that of filing a civil suit before the learned Civil Court having competent jurisdiction. Liberty, so sought, is granted.



3. It is needless to state that in order to enable the petitioners to avail appropriate alternative remedies as are available under the law and seek interim orders, I deem it fit and proper to direct the Respondents to maintain status quo, existing as on today qua the land / houses of the petitioners, for a period of eight weeks from today.
4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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