

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1568 of 2023

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1. Fulena Yadav Son of Deodhari Yadav, Resident of Village - Nirpur, P.O. Radhiya, P.S. - Paharpur, District - East Champaran.
 2. Jhulan Yadav, Son of Deodhari Yadav, Resident of Village - Nirpur, P.O. Radhiya, P.S. - Paharpur, District - East Champaran.
 3. Shambhu Yadav, Son of Late Ramdhari Yadav, Resident of Village - Nirpur, P.O. Radhiya, P.S. - Paharpur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The Sub-Divisional Officer, Areraj, District - East Champaran.
4. The D.C.L.R., Areraj, East Champaran.
5. The Circle Officer, Paharpur, East Champaran.
6. The Circle Inspector (C.I.), Paharpur, East Champaran.
7. The Anchal Amin, Paharpur, East Champaran.
8. The Superintendent of Police, East Champaran at Motihari.
9. The Dy. S.P. (Rosera) Motihari, East Champaran.
10. The S.H.O., Paharpur, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 10-12-2024 1. Though the present petition was filed for quashing the order dated 14.12.2022, issued by the Circle Officer, Paharpur, East Champaran i.e. the respondent no.5, in connection with Encroachment Case No.06 of 2022-23, however, at the outset, the learned counsel for the respondent-State has submitted that the respondent no.5 has already passed



the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act, 1956') on 17.11.2022, hence in case the petitioners are so aggrieved, they may file appropriate appeal under Section 11 of the Act, 1956.

2. At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid order dated 17.11.2022, by filing appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

3. It is needless to state that for a period of four weeks from today, status quo existing as on today qua the land/houses of the petitioners in question shall be maintained in order to enable the petitioners to file appropriate appeal and seek interim relief.

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

(Mohit Kumar Shah, J)

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