

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2860 of 2024

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1. Gauri Shankar Singh Son of Late Ram Kripal Singh, Resident of village- Babu Ka Bahuara, P.O. - Kuchhila, Police Station and Circle - Kochas, District- Rohtas at Sasaram.
 2. Sanjay Kumar Singh, Son of Late Jagdish Singh, Resident of village- Babu Ka Bahuara, P.O. - Kuchhila, Police Station and Circle - Kochas, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Circle Officer, Kochas, District Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh, Advocate
For the State	:	Mr.A.B. Sinha, GA-8
		Ms.Kalpana, AC to GA-8
For Respondent No.4	:	Mr.Ashok Kr. Garg, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 27-08-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this writ application is for issuance of an appropriate writ(s) order(s) or direction(s) for quashing the order and notice dated 21.12.2023, issued by the Respondent No.3 by which the Respondent No.3, has initiated an Encroachment proceeding against the petitioners vide Encroachment Case No- 04/23-24 is respect of Chak Khata No.- 53 and 54 of Thana No.- 301, Village- Babu Ka Bahuara within the Circle Kochas (Rohtas) on



the basis of the report of the Anchal Amin dated 18/12/2023.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the order dated 05.03.2024, passed by the Circle Officer, Kochas, District Rohtas at Sasaram, in connection with Encroachment Case No.04 of 2023-24, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

3. It is needless to state that in case appropriate appeal is filed by the petitioners, within a period of four weeks from today, the respondent-State shall not take any coercive action against the petitioners for a period of four weeks from today, in order to enable them to seek interim relief.

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

(Mohit Kumar Shah, J)

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