

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3242 of 2023

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Munni Devi W/o Santosh Saw Resident of Village-Dumari Chatti, P.s.-
Fetehpur, Distt.-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The Collector, Gaya.
5. The Deputy Collector, Land Reforms, Gaya Sadar, Gaya.
6. The Sub Divisional Magistrate, Gaya, Sadar, Gaya.
7. The Circle Officer, Fatehpur, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kashyap, Advocate
For the Respondent/s : Md. Khurshid Alam (Aag 12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 03-12-2024 Though the present writ petition has been filed for setting aside the proceedings initiated by the Circle Officer, Fatehpur, Gaya, i.e. the respondent no.7, vide Encroachment Case No.9 of 2018-19, however, at the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 27.09.2022, passed by the respondent no.7 in the encroachment proceedings in question under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act,1956”), by filing



appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

2. It is needless to state that in case appropriate appeal is filed by the petitioner within a period of four weeks from today, the same shall be considered on its own merits by the appellate authority.

3. Nonetheless, during the interregnum period, I deem it fit and proper to direct that for a period of four weeks from today, status quo, existing as on today, qua the land/house of the petitioner in question, shall be maintained in order to enable the petitioner 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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