

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3054 of 2022

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1. Mohmmad Mustak Ahmad @ Mustak Ahmad S/o - Reazuddin R/o Village - Bedu Tola, P.S. - Thawe, District- Gopalganj.
 2. Rajender Manjhi S/o Ladha Manjhi R/o Village - Bedu Tola, P.S. - Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through its Collector Gopalganj.
2. The District Magistrate cum Collector, Gopalganj.
3. The Sub Divisional Officer, Gopalganj.
4. The Circle Officer Thawe, District- Gopalganj.
5. The Executive Officer, District Board Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-11-2024 Though the present writ petition has been filed for quashing the notices dated 08.01.2022 and 22.01.2022, issued by the Circle Officer, Thawe, District-Gopalganj in connection with Encroachment Case No. 01 of 2021-22, however, at the outset, the learned counsel for the respondent-State submits, by referring to the counter affidavit filed in the present case, that the Circle Officer, Thawe, District-Gopalganj 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 22.01.2022, 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 22.01.2022 passed by the Circle Officer, Thawe, District-Gopalganj in connection with Encroachment Case No. 01 of 2021-22, by filing an 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 six 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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