

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2289 of 2024

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1. Sahadev Yadav Son of Late Dev Nandan Yadav, Resident of village - Sukiyawan Mushari, P.S. - Hulasganj, District - Jehanabad.
 2. Manohar Yadav @ Manohar Prasad, Son of Haridwar Yadav, Resident of village - Sukiyawan Mushari, P.S. - Hulasganj, District - Jehanabad.
 3. Ramashish Yadav, Son of Late Munsu Yadav, Resident of village - Sukiyawan Mushari, P.S. - Hulasganj, District - Jehanabad.
 4. Gangiya Devi, Wife of Devcharan Yadav, Resident of village - Sukiyawan Mushari, P.S. - Hulasganj, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, District - Jehanabad.
3. The Sub-Divisional Officer, Block - Hulasganj, District - Jehanabad.
4. The Circle Officer, Block - Hulasganj, District - Jehanabad.
5. The Station House Officer, P.S. - Hulasganj, District - Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Respondent/s : Government Pleader 6

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-08-2024 The present writ petition has been filed seeking the following relief:-

“I. Issuance of the appropriate writ, order(s) or directions(s) in the nature of 'Certiorari' for quashing the notice issued by the Circle Officer, Hulasganj (Jehanabad) under section 6(2) of the Bihar Public Land Encroachment Act, 1956 vide Memo No.- 145 dated 20.01.2024 in Encroachment Case No.- 02/2023- 2024 wherein the Circle Officer has directed the petitioners to



remove encroachments before 06.02.2024 from the land situated at Mauza- Sukiyawan, Thana No.- 674 bearing Khata No.- 244, Khesra No.-1872 and Khesra No.1920 on the ground that on some part of the land Petitioners are residing after constructing houses for more than 100 years in and is in peaceful possession of same.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the final order passed by the Circle Officer, Hulasganj, District- Jehanabad, in connection with Encroachment Case No.04 of 2023-24, by filing appropriate appeals, under Section 11 of the Bihar Public Land Encroachment Act, 1956. 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/house of the petitioners in question shall be maintained, in order to enable them to file appropriate appeals and seek interim reliefs.

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

(Mohit Kumar Shah, J)

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