

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3569 of 2024

1. Lalo Pandit @ Rajendra Pandit Son of Lakhan Pandit resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.
2. Sarju Pandit, Son of Keso Pandit resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.
3. Munna Pandit, Son of Karu Pandit resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.
4. Chandradev Yadav, Son of Ram Lakhan Yadav resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.
5. Upendra Mistri, Son of Sidheshwar Mistri resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.
6. Baudhu Yadav, Son of Dhajo Gope resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.
7. Dinesh Prasad @ Dinesh Kumar, Son of Baleshwar Yadav resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.
8. Chando Yadav, Son of Vasudeo Yadav resident of village -Dhamar, P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate, Nalanda at Bihar Sharif.
4. The Sub Divisional Officer, Rajgir, Nalanda.
5. The Circle Officer, Silao, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad, Adv.
For the Respondent/s : Mr.Additional Advocate General (5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-10-2024 Though the present writ petition has been filed for quashing the notice dated 2.2.2024, issued by the Circle Officer, Silao, Nalanda at Bihar Sharif, in connection with Encroachment Case No. 1 of 2023-24, however, at the outset, the learned



counsel for the Respondent-State has referred to the counter affidavit filed in the present case to submit that the Circle Officer, Silao, has already passed the final order dated 2.2.2024, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “ the Act, 1956”), in connection with Encroachment Case No. 1 of 2023-24, hence, in case the petitioners are so aggrieved, they may challenge the same, by filing 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 file appropriate appeal, 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 them to file appropriate appeal and seek interim relief.

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

(Mohit Kumar Shah, J)

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