

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6742 of 2024

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Sunil Kumar S/O Ram Kumar Ray Resident of village-Khedalpur, P.S.-Bihta,
Distt.-Patna

... .. Petitioner/s

Versus

1. The State of Bihar Through the District Magistrate, Patna.
2. The District Magistrate The District Magistrate, Patna
3. The Circle Officer,Bihta, P.S.-Bihta, Distt. - Patna.
4. The Circle Inspector, Bihta, P.S.-Bihta, Distt. - Patna.
5. Anchal Ameen,Bihta, P.S.-Bihta, Distt. - Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur, Adv.
For the Respondent/s : Mr.Government Pleader (5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 18-09-2024 Though the present writ petition has been filed for quashing the notice dated 23.3.2024, issued by the Circle Officer, Bihta, District-Patna, i.e. the Respondent No. 3, in connection with Encroachment Case No. 11 of 2023-24, by which the petitioner has been directed to remove the encroachment from the land situated at village-Khedalpura, P.S.-Bihta, District-Patna, Mauja-Khedalpura, Thana No. 50, Khesra No. 131, Rakwa-176.25 sqft., however, at the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the final order dated 27.2.2024/23.3.2024, passed by the Circle Officer, Bihta, in connection with Encroachment Case No. 11 of 2023-24, by filing appropriate appeal under



Section 11 of the Bihar Public Land Encroachment Act, 1956, but, 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 eight weeks from today, the appellate authority shall consider the same on merits without being impeded by the issue of limitation. For a period of four weeks from today, no coercive action shall be taken against the petitioner, in order to enable him to file appropriate appeal and seek interim relief.

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

(Mohit Kumar Shah, J)

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