

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10524 of 2016

1. Santosh Sahani Son of Bindu Sahani
2. Bhola Sahani Son of Thagan Sahani
3. Shambhu Sahani Son of Bhola Sahani
4. Kailash Sahani Son of Bhola Sahani
5. Muneshwar Sahani Son of Shivjee Sahani
6. Raj Kishore Sahani Son of Balihari Sahani
7. Sakuntala Devi Wife of Devan Sahani
8. Bibha Devi Wife of Sanjay Sahani
9. Lalita Devi Wife of Mauje Sahani
10. Mala Devi Wife of Baiju Sahani
11. Usha Devi Wife of Awadhesh Sahani
12. Krishna Devi Wife of Khekharmal Sahani All are resident of Sakari Moun,
Police Station Piya, District Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Commissioner, Tirhut Division, Muzaffarpur
3. The District Magistrate, Muzaffarpur
4. The Sub - Divisional Magistrate - Cum - Sub Divisional officer, East
Muzaffarpur, District Muzaffar
5. The Circle Officer, Bandra, District Muzaffarpur
6. The District Fisheries officer - Cum - Chief Executive officer, Muzaffarpur
7. Prashan Kumar
8. Pashupati Thakur Both Serial No. 7 and 8 are Sons of Late Ramakant
Thakur resident of Sakari Moun, Police Station Piya, District Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mahasweta Chatterjee, Adv.
For the Respondent/s : Mr.Ashok Kumar- Sc11

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 05-12-2024 Though the present writ petition has been filed for
quashing the notice dated 22.2.2016, issued in connection with



Encroachment Case No. 1 of 15-16, by the Circle Officer, Bandra, District-Muzaffarpur, i.e. the Respondent No. 5, however, at the outset, the learned counsel for the Respondent-State has fairly admitted that the Respondent No. 5 has not yet passed any final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, hence, the petitioners may file their objections before the Respondent No. 5, which shall be considered, in accordance with law and the Respondent No. 5 shall pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

2. At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to file their objections before the Respondent No. 5 in the aforesaid proceedings within a period of four weeks from today, however, seeks some protection during the interregnum period. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate objections are filed by the petitioners within a period of four weeks from today, the Respondent No. 5 shall consider the same, in accordance with law and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, forthwith and till then, no coercive action shall be taken against the



petitioners.

4. It is clarified that in case, no objection is filed by the petitioners within a period of four weeks from today, the Respondent No. 5 shall nonetheless, proceed to pass the final order, ex-parte.

5. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

