

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8728 of 2024

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1. Vinod Sharma son of Late Yamuna Sharma. resident of village Math Kalyan, Police Station and Circle Office- Kalyanpur, District East Champaran, Motihari (Bihar).
 2. Rakesh Kumar @ Rakesh Sharma, son of Kamla Kanta Sharma, resident of village Math Kalyan, Police Station and Circle Office- Kalyanpur, District East Champaran, Motihari (Bihar).
 3. Triloki Sharma, son of Kamla Sharma, resident of village Math Kalyan, Police Station and Circle Office- Kalyanpur, District East Champaran, Motihari (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector cum District Magistrate, East Champaran, Motihari.
3. The Sub-Divisional Magistrate, Chakia, East Chmaparan, Motihari.
4. The Circle Officer, Kalyanpur, East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suman Kumar Mishra, Adv.
For the Respondent/s	:	Mr.Government Advocate (2)
		Mr.Akhileshwar Singh, AC to GA-2s

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(A) For quashing the office order dated 06.02.2024 passed in Encroachment Appeal No. 74/2023-24, passed by the Collector cum District Magistrate, East Champaran, Motihari, whereby the Circle Officer, Kalyanpur has been directed to remove the encroachment made over the land appertaining to Mauza Math Kalyan, Thana No. 82, Khata No. 5, Khesra No. 134, area 0-8-18 Dhur and



further direct to take steps for allotment of land to the petitioners as they are landless.

(B) For quashing the order dated 26.07.2023 passed by the Circle Officer, Kalyanpur whereby it was held that petitioners are encroachers.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the learned Civil Court having competent jurisdiction, for redressal of their aforesaid grievances. 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 approach the appropriate Forum/Court of law and obtain interim reliefs.

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

(Mohit Kumar Shah, J)

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