

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9049 of 2024

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Jaggu Gaddi @ Jagu Ravat Son of late Sakaldhari Gaddi @ Sakaldhari Ravat
Resident of village- Rajapur, P.S./ Circle- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Home, Government of Bihar, Patna.
4. The Collector -cum- District Magistrate, Gopalganj.
5. The Additional Collector (Revenue), Gopalganj.
6. The Sub-divisional Officer, Hathua, Gopalganj.
7. The Deputy Collector, Land Reforms, Hathua, Gopalganj.
8. The Circle Officer, Uchkagaon, Gopalganj.
9. The Station House Officer, Uchkagaon P.S., Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Respondent/s : Mr. Anirban Kundu, SC-24

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of an appropriate writ(s), order(s), direction(s) to the respondents for not demolish/remove the constructions/ possessions over the land of the petitioner which are under the District of Gopalganj, belongs to Uchkagaon Circle in its revenue village Rajapur, Revenue Thana No 1043, pertaining in Khata No. 145, its Survey No. 954 in Area of ½ decimal whereupon the petitioner has been



standing in view of Hukumnama dated 15.02.1933 in favour of his father made by the competent authorities of Hathua Raj.

(ii) For issuance of an appropriate writ(s), order(s), direction(s) for quashing the notices dated 09.04.2024 contained in Notice No. 02/ (xi) which is as Annexure- P-5 to the writ application in Encroachment Case No. 05 of 2022-23 u/s 6(2) under Form-II of the Bihar Public Land Encroachment Act, 1956 issued by the Circle Officer, Uchkagaon, Gopalganj for removal of alleged encroachment from the concern premises/land without passing the final order u/s. 6(1) and also not considering the mandate of sections 4 & 5 of the said Act. Though the petitioner is title holder of the subject land which has already been settled by the competent authority of Hathua Raj in the year of 1933.

(iii) For issuance of appropriate writ(s), order(s), direction(s) to the respondents to comply the mandate of Bihar Public Land Encroachment Act and its Rule framed by the Government of Bihar.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 09.04.2024, passed by the Circle Officer, Uchkagaon, Gopalganj, in connection with Encroachment Case No.05 of



2022-2023, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection, during the interregnum period. 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 petitioner in question shall be maintained in order to enable him to file appropriate appeal and obtain interim relief.

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

(Mohit Kumar Shah, J)

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