

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12916 of 2014

=====

Sheo Nandan Yadav son of Late Mahadeo Yadav, Resident of village- Narain Khap, P.O. Jaigobind Nagar Makhra, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate-cum-Collector, Aurangabad
3. The Sub Divisional Officer, Aurangabad
4. The Circle Officer, Barun, Aurangabad
5. Mahendra Paswan, son of Kameshwar Paswan, Resident of village- Narain Khap, P.O. Jaigobind Nagar Makhra, P.S.- Barun, District- Aurangabad

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Anil Kr Singh No. 6, Adv.
For the Respondent/s	:	Mr. Anuj Kumar, AC to SC-12
For the Respondent No. 6	:	Mr. Amarendra Kumar Singh, Adv. Ms. Alka Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 08-05-2024 The present writ petition has been filed seeking the following relief:-

“1. That this is an application for of appropriate writ[s]/direction [s] to quash the order dated 18.10.2013 [Annexure- 6) passed in Misc. Case No.1293/2012 of the respondents no.3 and quashed the encroachment proceeding against the petitioner initiated vide notice dated 4.6.2014 and 10.07.2014 by the respondents no. 4 in connection with the land of khata No.9 plot no. [Survey) no. 48 area 5 situated decimals at village Narayinkhap P.S. Barun, District Aurangabad.”



2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the final order, passed by the Circle Officer, Barun, District-Aurangabad, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate appeal is filed within a period of two weeks from today, the appellate authority shall consider the same on merits and pass a reasoned and a speaking order thereon, in accordance with law, forthwith.

4. In order to enable the petitioner to file appeal along with a petition for grant of interim relief, I deem it fit and proper to direct the Respondents to maintain status quo, existing as on today qua the land / house of the petitioner in question, for a period of four weeks from today.

5. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

