

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3257 of 2016

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Sant Gond @ Basant Gond @ Sant Sah S/o Late Kailash Gond, resident of
Village- Chamarpatti, P.S.- Fulwaria, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Secretary, Revenue Department, Government of Bihar, Patna.
3. The Dy. Secretary, Revenue Department, Government of Bihar, Patna.
4. The Collector, Gopalganj.
5. The Sub-Divisional Officer, Gopalganj.
6. The Circle Officer, Fulwaria, Gopalganj.
7. The Anchal Amin, Fulwaria Anchal, Gopalganj.
8. Mantosh Kumar Dixit, S/o Vidyasagar Dixit, R/o Village- Chamarpatti, P.S.-
Fulwaria, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Advocate
For the Respondent/s	:	Mr.Ranjeet Kumar, Advocate
		Mr.Kanishka Kaustubh, Advocate
		Mr.Shikhar Mani, Advocate
		Ms.Lakshmi Kumari, Advocate
		Mr.Rajnish Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 19-09-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(A) For issuance of a writ in the nature of
certiorari for quashing of the order as
contained under Memo No. 95 dated
09.02.2016 issued under the signature of the
respondent Circle Officer, Fulwaria of district-
Gopalganj which is in complete disregard of
the Order dated 09.11.2015 passed in C.W.J.C.*



No. 4169 of 2015. by the Hon'ble Court as well as against the provision of Bihar Encroachment Act.

(B) For issuance of a writ in the nature of Mandamus to the respondent(s) to give effect to the Government policy issued by the respondent no.2 as contained under Letter No. 05/अति ० (निति) 1011/80-11655 रा०वि० dated 14.04.1978 in view of the facts of the case.

(C) For issuance of a writ in the nature of Mandamus to the respondent (s) not to disturb petitioner's possession over the land in issue pertaining to Khata no.116 Plot no. 178 area 1 bigha, 17 Katha and 19 dhurs (hereinafter referred to as the land in issue) till pendency of the writ application.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 09.02.2016, passed by the Circle Officer, Fulwaria, District-Gopalganj, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection during the interregnum period.

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 the petitioner to file appropriate appeal and seek interim



relief.

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

(Mohit Kumar Shah, J)

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