

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12430 of 2023

1. Ramashrya Sah S/o-Late Banarsi Sah Resident of Persons are Village-Dudhara Mathiya, P.O.-Dudhara,Mathiya, P.O.-Dudhara, P.S.-Goreyakothi, Distt.-Siwan.
2. Biran Sah S/o Late Shivrindan Sah Resident of Persons are Village-Dudhara Mathiya, P.O.-Dudhara,Mathiya, P.O.-Dudhara, P.S.-Goreyakothi, Distt.-Siwan.
3. Ashok Sah S/o Late Dudhnath Sah Resident of Persons are Village-Dudhara Mathiya, P.O.-Dudhara,Mathiya, P.O.-Dudhara, P.S.-Goreyakothi, Distt.-Siwan.
4. Surendra Sah S/o-Late Dudhnath Sah Resident of Persons are Village-Dudhara Mathiya, P.O.-Dudhara,Mathiya, P.O.-Dudhara, P.S.-Goreyakothi, Distt.-Siwan.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Collector Cum District Magistrate, Siwan.
3. The Additional Collector (Revenue), Siwan.
4. The Sub-Divisional Officer, Goreyakothi, Circle, Distt.-Siwan.
5. The Circle Officer, Goreyakothi Circle, Distt.-Siwan.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC 25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 4 10-12-2024 1. Though the present writ petition has been filed for setting aside the order dated 03.07.2023, passed by the Circle Officer, Goreyakothi, Siwan i.e. the respondent no. 5, in connection with Encroachment Case No. 12 of 2020-21, however, at the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the final



order dated 17.08.2023, passed by the respondent no.5 under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), in connection with Encroachment Case No. 12 of 2020-21, by filing appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection during the interregnum period. Liberty, so sought, is granted.

2. 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 petitioners in question, shall be maintained in order to enable them to file appropriate appeal and seek interim relief.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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