

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13278 of 2023

1. Lalpati Devi, Wife of Pappu Prasad alias Pappu Prasad Gupta.
 2. Asha Devi, Wife of Sunil Kumar Gupta.
 3. Dropati Devi, Wife of Mahendra Prasad.
 4. Paspati Devi, Wife of Kamleshwar Prasad
- All are daughter of Late Ramayan Sah and all are resident of
Mohalla - Sareya Ward No.5, Yadavpur Road, Police Station-Gopalganj
Town, District- Gopalganj.

... .. Petitioners

Versus

1. The State of Bihar through the Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Sub-divisional Officer, Gopalganj.
4. The Circle Officer, Gopalganj.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Respondent/s : Mr. Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-01-2024 Heard learned counsel for the parties.

2. In this case, the petitioner is challenging the notices dated 23.05.2023 issued by the Circle Officer, Gopalganj, in Encroachment Case No.01 of 2023-24, by which it has been directed for removal of encroachment from the land over which the petitioners have constructed their respective houses.

3. Learned counsel for the petitioners submits that the notices under Section 3 of the Bihar Public Land



Encroachment Act, 1956 is illegal as the land does not belongs to the State Government.

4. The petitioners are permitted to withdraw this application with a liberty to participate in the encroachment case by raising all the grounds as available under the law. The Circle Officer Gopalganj shall consider the grounds raised by the petitioners in their show-cause and also examine the records and after hearing the petitioners pass a reasoned order in accordance with law.

5. During the pendency of the encroachment case, the possession of the petitioners shall not be disturbed by the respondents.

6. With the aforesaid observations and directions, this writ petition is disposed of as withdrawn.

(Sandeep Kumar, J)

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