

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16203 of 2024

1. Santosh Kumar Yadav @ Santosh Yadav Son of Bhola Yadav Resident of Village-Pandh, P.S.-Dalsinghsarai, District-Samastipur.
2. Raj Kumar Rai @ Raju Rai Son of Shiv Nandan Rai Resident of Village-Pandh, P.S.-Dalsinghsarai, District-Samastipur.
3. Ram Chandar Rai Son of Shiv Nandan Rai Resident of Village-Pandh, P.S.-Dalsinghsarai, District-Samastipur.
4. Bhola Rai @ Bholi Ray Son of Shiv Nandan Rai Resident of Village-Pandh, P.S.-Dalsinghsarai, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
2. The Commissioner, Darbhanga Division, Darbhanga.
3. The Collector, Samastipur.
4. The Additional Collector, Samastipur.
5. The Deputy Collector Land Reforms, Dalsinghsarai, Distirct-Samastipur.
6. The Circle Officer, Dalsinghsarai, Distirct-Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar, Adv.
For the Respondent/s : Mr.Government Pleader (5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-10-2024 1. The present writ petition has been filed for quashing the notice dated 24.07.2024, issued by the Circle Officer, Dalsinghsarai, District-Samastipur, i.e. the respondent no.6, in connection with Encroachment Case No.3 of 2023-24, whereby and whereunder the petitioners have been directed to remove the encroachment made over plot nos.5714 and 5715, appertaining to Khata No.1168, situated at Mauza-Pandh, Circle-Dalsinghsarai, District-Samastipur.



2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the order dated 28.07.2024, passed by the Circle Officer, Dalsinghsarai, District-Samastipur, in connection with Encroachment Case No.3 of 2023-24, 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 six weeks from today, status quo, existing as on today qua the land/houses of the petitioners in question, shall be maintained, in order to enable them 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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