

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13121 of 2024

1. Suresh Rai son of Mohit Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.
2. Ram Naresh Rai, son of Mohit Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.
3. Mahesh Rai, son of Mohit Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.
4. Mohit Rai, son of Late Rampal Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.
5. Arun Rai, son of Late Madan Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.
6. Baijnath Rai, Son of Late Jamun Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.
7. Rajesh Kumar, son of Late Baijnath Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.
8. Vikash Kumar, son of Late Jatan Rai, resident of Village-Pandh, P.O.-Chakbahauddin, P.S.-Dalsinghsarai, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms 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, District-Samastipur.
6. The Circle Officer, Dalsinghsarai, District-Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar, Adv.
For the Respondent/s : Mr.Government Pleader (6)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-09-2024 1. The present writ petition has been filed seeking the following relief(s):-

*“1.(i) For quashing the Notice dated 24.07.2024
issued by the Circle Officer, Dalsinghsarai in*



Encroachment Case No.3/2023-24,as well as the whole Encroachment Proceeding whereby the petitioner has been directed to remove encroachment from Plot No.5713 and 5714 appertaining to Khata No.1168 situated in Mauza Pandh, Anchal- Dalsinghsarai, District-Samastipur.

(ii) For a direction to the concerned respondents to consider the claim of the petitioners vide representation dated 06.08.2024 who claims to have been residing over the land in question since last 100 years.”

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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