

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13191 of 2024

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1. Janak Mochi @ Janak Ram Son of Bachan Mochi, resident of village- Makranda, Tole- Bhandarisam, P.S.- Manigachhi, District- Darbhanga.
 2. Umesh Ram, Son of Pachkaudi Ram, Resident of village- Makranda, Tole- Bhandarisam, P.S- Manigachhi, District- Darbhanga.
 3. Sarau Ram, Son of Tetar Ram, Resident of village- Makranda, Tole- Bhandarisam, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Darbhanga.
2. The Collector, Darbhanga.
3. The Circle Officer, Manigachhi, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha, Adv.
For the Respondent/s	:	Mr.Standing Counsel (12)
		Mr.Anuj Kumar, AC to SC-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-09-2024 1. At the outset, the learned counsel for the petitioners seeks permission to correct the name of the petitioner no.3. Permission so sought is granted. Let the needful be done during the course of the day.

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

“1. That this is an application for issuance of appropriate writ/writs, order/orders, direction/directions for quashing the notice issued by the respondent no. 3 in format u/s 3 of the Bihar Public Land Encroachment Act, 1956 in Encroachment Case No. 21 of 2023-24 whereby



and whereunder the petitioners were declared as encroacher of the land in question and show cause notice was issued to them as to why encroachment be not removed, failing which the case shall be decided ex parte.”

3. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the order dated 02.01.2024, passed by the Circle Officer, Manigachhi (Darbhanga), in connection with Encroachment Case No.21 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.

4. 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.

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

(Mohit Kumar Shah, J)

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