

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14887 of 2024

1. Prabhat Prasad S/o- Late Bhola Prasad, Resident of Ward No.-9, Gola Road, Ramgarhawa Bazaar, Block- Ramgarhawa, Dist- East Champaran.
2. Madan Gopal Prasad, S/o- Late Bhola Prasad, Resident of Ward No-9, Gola Road, Ramgarhwa Bazaar, Block- Ramgarhawa, Dist- East Champaran.
3. Ravi Prasad @ Ravi Kumar, son of Shiv Prasad @ Shivji Prasad, Resident of Ward No-9, Sabji Bazaar, Ramgarhwa, Block- Ramgarhwa, Dist- East Champaran.
4. Deepak Prasad @ Deepak Kumar, S/o- Late Yogendra Prasad @ Yogi Prasad, Resident of Ward No- 10, Ramgarhwa Bazar, Block- Ramgarhwa, Dist- East Champaran.
5. Dileep Kumar, S/o- Late Yogendra Prasad @ Yogi Prasad, Resident of Ward No- 10, Ramgarhwa Bazar, Block- Ramgarhwa, Dist- East Champaran.
6. Amit Kumar, son of Late Ramnath Ram, Resident of Ward No- 7, Ramgarhwa Bazar, Block- Ramgarhwa, Dist- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department Govt. of Bihar, Patna.
2. The Divisional Commissioner, Patna Division.
3. The District Magistrate, East Champaran (Motihari).
4. The Sub-Divisional Officer, East Champaran (Motihari)
5. The Circle Officer, Block- Ramgarhwa, Dist- East Champaran (Motihari).
6. The Block Development Officer, Block- Ramgarhwa, Dist- East Champaran (Motihari).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bijay Shankar Choubey, Advocate
For the Respondent/s : Mr.Standing Counsel (21)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 6 17-12-2024 1. Though the present petition has been filed for quashing the notice dated 27.07.2024, passed by the Circle Officer, Ramgarhwa, District-East Champaran, i.e. the respondent no.5, however, at the outset, the learned counsel for the respondent-State has submitted by referring to the supplementary counter affidavit, filed in the present case that



the Circle Officer, Ramgarhwa, District-East Champaran has passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act, 1956') on 02.01.2024, in connection with Encroachment Case No.03 of 2023-24, hence in case the petitioners are so aggrieved, they may challenge the same by filing appropriate appeal under Section 11 of the Act, 1956.

2. At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid order dated 02.01.2024, by filing appropriate appeal, 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 the petitioners to file appropriate appeal and seek interim relief.

4. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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