

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12811 of 2023

1. Mishri Singh son of Sri Kashi Singh, resident of Village-Gafurichak, Post-Bedauli, Police Station-Bhagwanganj (Masaurhi), District Patna (Bihar), Pin Code No. 804452.
2. Subodh Kant Singh, son of Sri Kailash Singh, resident of Village-Gafurichak, Post-Bedauli, Police Station-Bhagwanganj (Masaurhi), District Patna (Bihar), Pin Code No. 804452.
3. Fagu Singh, son of Late Chulhan Singh, resident of Village-Gafurichak, Post-Bedauli, Police Station-Bhagwanganj (Masaurhi), District Patna (Bihar), Pin Code No. 804452.
4. Asarfi Singh, son of Late Raja Singh, resident of Village-Gafurichak, Post-Bedauli, Police Station-Bhagwanganj (Masaurhi), District Patna (Bihar), Pin Code No. 804452.
- 5.1. Mostmat /Widow Durga Devi, Wife of late Lal Bahadur Singh, Resident of Village- Gafurichak, Post- Bedauli Police Station- Bhagwanganj (Masaurhi), District- Patna (Bihar), Pin code no. 804452.
- 5.2. Rakesh Kumar, Son of late Lal Bahadur Singh, Resident of Village-Gafurichak, Post- Bedauli Police Station- Bhagwanganj (Masaurhi), District- Patna (Bihar), Pin code no. 804452.
- 5.3. Santosh Kumar, Son of late Lal Bahadur Singh, Resident of Village-Gafurichak, Post- Bedauli Police Station- Bhagwanganj (Masaurhi), District- Patna (Bihar), Pin code no. 804452.
- 5.4. Vikash Kumar, Son of late Lal Bahadur Singh, Resident of Village-Gafurichak, Post- Bedauli Police Station- Bhagwanganj (Masaurhi), District- Patna (Bihar), Pin code no. 804452.
6. Shailesh Singh, son of Late Basudev Singh, resident of Village-Gafurichak, Post-Bedauli, Police Station-Bhagwanganj (Masaurhi), District Patna (Bihar), Pin Code No. 804452.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate cum Second Appellate Authority, Patna, District-Patna.
4. The Additional Collector (Public Grievance Redressal) cum First Appellate Authority, Patna, District-Patna.
5. The Sub Divisional Public Grievance Redressal Officer, Masaurhi, Patna, District-Patna.
6. The Circle Officer, Masaurhi, Patna, District-Patna.
7. The Officer In Charge, Bhagwanganj, Masaurhi Police Station (Patna).
8. Mahesh Prasad, Son of Late Basudev Singh, resident of Village-Gafurichak,



Post-Bedauli, Police Station-Bhagwanganj (Masaurhi), District Patna
(Bihar), Pin Code No. 804452.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Subhash Patel, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)
For the Resp. No.8 : Mr.Prashant Kumar, Advocate
Mr.Manaur Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 24-09-2024 1. Though, the present petition has been filed for considering the case of the petitioners to the effect that he is not an encroacher of the government land, which is neither a drain nor ahar, situated at village Gafurichak, Thana No.213, appertaining to Khesra No.1, 2, 31, 39, 50, 171, 172, 201 and at Mauza Kajichak Thana No.212, appertaining to Khesra No.374, 502, 503, 504, 690, 454 and in fact the same is the Khatiyani land of the petitioners, however, at the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the final order dated 27.06.2023, passed by the Circle Officer, Masaurhi, in connection with Encroachment Case No.01 of 2021-22, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956 and during the interregnum period seeks some protection. Liberty so sought is granted.

2. It is needless to state that for a period of four weeks



from today, no coercive action shall be taken against the petitioners in order to enable them to file appropriate appeal and seek interim relief.

3. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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