

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13103 of 2024**

1. Ram Bachan Prasad Sharma @ Ram Bachan Singh, Son of Late Nawal Kishore Sharma Resident of village- Poari, P.O.- Poari, P.S.- Harnaut, District- Nalanda, Bihar, Pin Code- 803110.
2. Bharat Bhushan Sharma @ Bhushan Singh, Son of Late Nawal Kishore Sharma Resident of village- Poari, P.O.- Poari, P.S.- Harnaut, District- Nalanda, Bihar, Pin Code- 803110.
3. Suryamouli Prasad Singh Son of Late Nawal Kishore Sharma Resident of village- Poari, P.O.- Poari, P.S.- Harnaut, District- Nalanda, Bihar, Pin Code- 803110.
4. Ram Babu Sharma Son of Late Nawal Kishore Sharma Resident of village- Poari, P.O.- Poari, P.S.- Harnaut, District- Nalanda, Bihar, Pin Code- 803110.
5. Dilip Kumar Son of Late Nawal Kishore Sharma Resident of village- Poari, P.O.- Poari, P.S.- Harnaut, District- Nalanda, Bihar, Pin Code- 803110.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Additional Principal Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Nalanda at Biharsharif.
3. The Deputy Collector (Establishment), Nalanda at Biharsharif.
4. The Sub-Divisional Officer, Biharsharif, Nalanda.
5. The Circle Officer, Harnaut, District- Nalanda at Biharsharif.

... .. Respondent/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr.Rohit Mishra, Adv.         |
| For the State        | : | Mr. Sanjay Kumar, AC to GP-23 |
| For the Intervenor   | : | Mr. Pramod Kumar Sinha, Adv.  |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      21-10-2024                      Though the present writ petition was filed for quashing the notice dated 30.7.2024, issued by the Circle Officer, Harnaut, i.e. the Respondent No. 5, in connection with Encroachment Case No. 6 of 2020-21, however, the learned counsel for the Respondent-State has referred to the final order



dated 25.7.2024, passed by the Respondent No. 5, in connection with Encroachment Case No. 6 of 2020-21, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), which has been annexed to the counter affidavit filed in the present case, hence, it is contended that in case, the petitioners are aggrieved they can file 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 25.7.2024, passed by the Respondent No. 5, by filing appropriate appeal under Section 11 of the 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. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

Ajay/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

