

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13856 of 2024

Jawahar Singh alias Jawahar Yadav Son of Late Lorik Ahir, resident of Village-Kothuwa, P.S. Agiaon Bazar, District-Bhojpur.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Collector, Bhojpur (Ara), P.O. and P.S.-Ara, District-Bhojpur.
- 2. The Land Revenue Deputy Collector, Bhojpur (Ara).
- 3. The C.O., Piro, PO and P.S.-Piro, District-Bhojpur (Ara).

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 13036 of 2024

- 1. Ram Yash Yadav Son of Late Shiv Bachan Yadav @ Late Baljit Yadav Resident of Village- Kothuwa, P.S.- Agiaon Bazar, Disrtict- Bhojpur.
- 2. Baban Yadav alias Baban Singh, Son of Late Moti Lal Yadav Resident of Village- Kothuwa, P.S.- Agiaon Bazar, Disrtict- Bhojpur.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Collector, Bhojpur (Ara), P.O. and P.S.- Ara, District- Bhojpur.
- 2. The Land Revenue Deputy Collector, Bhojpur (Ara).
- 3. The C.O., Piro, P.O. and P.S.- Piro, District- Bhojpur (Ara).

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 13055 of 2024

Ramashish Singh alias Ramashish Yadav Son of Late Laldev Singh alias Laldev Yadav Resident of Village- Kothuwa, P.S.- Agiaon Bazar, District-Bhojpur.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Collector, Bhojpur, (Ara), P.O. and P.S.- Ara, District- Bhojpur.
- 2. The Land Revenue Deputy Collector, Bhojpur (Ara).
- 3. The C.O., Piro, P.O. and P.S.- Piro, District- Bhojpur (Ara).

... .. Respondent/s



with
Civil Writ Jurisdiction Case No. 13861 of 2024

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1. Madan Singh Son of Late Nand Kishore Singh, resident of Village-Kothuwa, P.S. Agiaon Bazar, District- Bhojpur.
 2. Santosh Yadav, Son of Late Hirdyanand Yadav, resident of Village-Kothuwa, P.S. Agiaon Bazar, District- Bhojpur.
 3. Lal Babu Singh, Son of Sharifa Yadav, resident of Village- Kothuwa, P.S. Agiaon Bazar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector Bhojpur, (Ara), P.O. and P.S.- Ara, District- Bhojpur.
2. The Land Revenue Deputy Collector, Bhojpur (Ara).
3. The C.O. Piro, P.O. and P.S.- Piro, District- Bhojpur (Ara).

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 13862 of 2024

Mahendra Yadav alias Mahendra Singh Son of Late Keshav Yadav alias Kesho Prasad Resident of Village- Kothuwa, P.S. Agiaon Bazar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Collector Bhojpur, (Ara), P.O. and P.S.- Ara, District- Bhojpur.
2. The Land Revenue Deputy Collector, Bhojpur (Ara).
3. The C.O., Piro, P.O. and P.S.- Piro, District- Bhojpur (Ara).

... .. Respondent/s

Appearance :
(In Civil Writ Jurisdiction Case No. 13856 of 2024)
For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Standing Counsel (18)
(In Civil Writ Jurisdiction Case No. 13036 of 2024)
For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Smt. Anuradha Singh, SC-21
Mr. Shatabdi Sinha, AC to SC-21
(In Civil Writ Jurisdiction Case No. 13055 of 2024)
For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr. Mahtab Alam, AC to SC-20
(In Civil Writ Jurisdiction Case No. 13861 of 2024)
For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr. Sudama Kumar, AC to SC-12



(In Civil Writ Jurisdiction Case No. 13862 of 2024)

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Respondent/s : Standing Counsel (18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 4 12-11-2024 Though the aforesaid writ petitions have been filed for quashing the encroachment proceedings initiated by the Circle Officer, Piro, District-Bhojpur at Ara bearing Encroachment Case No. 16 of 2022-23, however, it is an admitted position, as is apparent from the records that the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 has been passed prior to issuance of notice to the aforesaid petitioners, under section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956') and without considering the case of the writ petitioners. In such view of the matter, it is submitted by the learned counsels appearing for the respondent-State in the aforesaid writ petitions that the petitioners be granted a fixed time frame for filing their objections, whereupon the Circle Officer, Piro, District-Bhojpur at Ara shall definitely consider the same and pass the final order under Section 6(1) of the Act, 1956, without being prejudiced by the earlier orders passed by him in connection with Encroachment Case No. 16 of 2022-23.
2. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioners of



the aforesaid writ petitions to file their objections, before the Circle Officer, Piro, District-Bhojpur, within a period of four weeks from today, whereupon the Circle Officer, Piro, District-Bhojpur at Ara shall consider the same, in accordance with law and pass the final order under Section 6(1) of the Act, 1956 afresh, within a period of four weeks, thereafter, in connection with Encroachment Case No. 16 of 2022-23.

3. It is needless to state that in case no objections are filed by the aforesaid writ petitioners within a period of four weeks from today, the Circle Officer, Piro, District-Bhojpur at Ara shall, nonetheless, pass the final order under Section 6(1) of the Act, 1956 in connection with Encroachment Case No. 16 of 2022-23, *ex parte*.

4. The writ petitions stand disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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