

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13431 of 2024

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1. Waliullah Abdali @ Bali Abdali Son of Late Syed Shah Md. Ayub Abdali @ Late Syed Ayub Abdali Permanent Resident of Mohalla- Budhanagar, Islampur, District- Nalanda.
 2. Abu Obaida Abdali @ Ubu Ubunda Abdali Son of Late Syed Shah Md. Ayub Abdali @ Late Syed Ayub Abdali Permanent Resident of Mohalla- Budhanagar, Islampur, District- Nalanda.
 3. Wasia Khatoon Wife Late Mustafa Abdali and Daughter of Syed Inamul Haque Permanent Resident of Mohalla- Budhanagar, Islampur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land Revenue, Government of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, District- Nalanda.
5. The Deputy Collector Land Reforms, District- Nalanda.
6. The Sub-Divisional Officer, Islampur, District- Nalanda.
7. The Circle Officer, Islampur, District- Nalanda.
8. The Station House Officer (SHO), Islampur Police Station, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Md. Anish Akhtar, Adv.
For the Respondent/s	:	Mr. Sushil Kumar, GP-22
		Mr. Narendra Kumar Singh, AC to GP-22

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 7.8.2024, issued by the Circle Officer, Islampur, i.e. the Respondent No. 7, in connection with Encroachment Case No. 4 of 2024-25, however, the learned counsel for the Respondent-State has submitted, by referring to the counter affidavit filed in the present case that the



Respondent No. 7 has already passed the final order under Section 11 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), on 7.8.2024, 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 7.8.2024, passed by the Respondent No. 7, 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)

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