

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6526 of 2015

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1. Marachhi Devi D/o Patluk Sah, W/o Lakshman Sah.
 2. Lakhshman Sah, Son of Bhola Sah.
Both Resident of village- Salha, P.S. Govindganj, District- East Champaran.
- Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary Govt. of Bihar, Patna.
 2. The Collector East Champaran.
 3. The S.D.O., Arreraj East Champaran.
 4. The C.O. Arreraj, East Champaran.
 5. Shankar Singh, Son of Late Kado Singh, Resident of village- Mura, P.S.-
Govindganj, District- East Champaran.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ibrahim KabShruti Sinha, Advocate Ms. Shruti Sinha, Advocate
For the State	:	Mr. Yogendra Prasad Sinha, AAG-7 Mr. Rajeev Kumar Sinha, AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 14-08-2024 The present writ petition has been filed seeking the following reliefs:-

“1. That this is an Application for issuance of an appropriate writ, order or direction, for quashing order dated 07.10.2014 issued by the Circle Officer Arreraj, District- East Champaran in Encroachment Case No.43 of 2013 whereby he has declared that Khata No.169, Kheshra No.495, Rakwa 0-02-06 Dhur Land is encroached land and has further ordered to remove the encroachment, otherwise the same will be removed forcefully and the expenses will be recovered from the petitioner and has further issued notice under Form-II, as contained in Annexure- 4. The petitioner further prays



for quashing the notice dated 03.11.2014 and notice dated 05.02.2015 issued, under Form-II, whereby petitioner No.2 has been ordered to remove the encroachment made over the land in question within 15 days and 20 days respectively and for directing the respondents not to remove the petitioner and their families as the petitioner and their ancestors have been living on the said land since around a century and the said land was granted/settled by erstwhile Bettiah Raj to Patluk Sah, Son of Tokhan Sah i.e. father of the petitioner No.1 and rent receipts are also being granted by the Govt. continuously since several decades.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the order dated 07.10.2014, passed by the Circle Officer, Arreraj, District-East Champaran in Encroachment Case No.43 of 2013, by filing appropriate appeal, under Section 11 of the Bihar Public Land Encroachment Act, 1956. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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