

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13436 of 2024

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Rajeshwar Pandey S/o Late Kapil Pandey @ Kapildev Pandey, resident of
Village-Kusumhara, Post-Bisenikala, P.S.-Rajgir, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District cum District Magistrate, Rohtas at Sasaram.
4. The Superintendent of Police, Rohtas at Sasaram.
5. The Sub-Divisional Magistrate District-Rohtas, Bikramganj.
6. The Deputy Collector Land Reforms, Bikramganj, District-Rohtas.
7. The Circle Officer, Akorhi Gola, District-Rohtas.
8. The S.H.O. Rajpur Police Station, District-Rohtas.
9. Javish Pandey, S/o Late Sheshamati Pandey @ Sosamasi Pandey, R/o- Kusumhara, P.O.-Beseni Kala, P.S.-Rajpur, District-Rohtas (Sasaram).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md Tauqueer Azhar, Adv.
For the Respondent/s	:	Mr.Government Pleader (3)
For the Respondent No. 9	:	Mr. Maya Shankar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-10-2024 Though the present writ petition has been filed for directing the Circle Officer, Akorhi Gola, District-Rohtas, i.e. the Respondent No. 7 to pass and serve a copy of the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), in connection with Encroachment Case No. 1 of 2023-24, however, the learned counsel appearing for the Respondent-State has referred to the orders dated 18.10.2023 and 19.8.2024, passed by the



Respondent No. 7, in connection with Encroachment Case No. 1 of 2023-24 under Section 6(1) of the Act, 1956, which have been annexed to the counter affidavit filed by the Respondents in the present case, to submit that in case the petitioner is aggrieved by the said orders, he can file appropriate Appeal under Section 11 of the Act, 1956.

2. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid orders dated 18.10.2023 and 19.8.2024, 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 four weeks from today, status quo, existing as on today qua the land/house of the petitioner in question, shall be maintained, in order to enable him 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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