

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13758 of 2024

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Prem Ray @ Prem Chandra Rai Son of Mishri Rai, resident of Village-
Majharia, P.O.- Majharia, Ramgarhwa, P.S. Adapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Circle Officer, Anchal- Adapur, East Champaran, Motihari.
3. The District Magistrate, East Champaran, Motihari.
4. The Commissioner, Muzaffarpur Division, Muzaffarpur.
5. The Deputy Collector, Land Revenue, Raxaul, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Kumar, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 29-10-2024 Though the present writ petition has been filed for quashing the notice dated 08.08.2024, issued by the Circle Officer, Adapur, District-East Champaran at Motihari, under section 6(2) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956), in connection with Encroachment Case No. 23 of 2023-24, however, at the outset, the learned counsel for the respondent-State has submitted, by referring to the counter affidavit filed in the present case, that the Circle Officer, Adapur,



District-East Champaran at Motihari has already passed the final order under Section 6(1) of the Act, 1956 on 08.08.2024, in connection with Encroachment Case No. 23 of 2023-24, hence in case the petitioner is so aggrieved, he can file an appeal under Section 11 of the Act, 1956.

2. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 08.08.2024, passed by the Circle Officer, Adapur, District-East Champaran at Motihari, in connection with Encroachment Case No. 23 of 2023-24, 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/house of the petitioner in question shall be maintained in order to enable the petitioner to file appropriate appeal and seek interim relief.



4. The writ petition stands disposed off on
the aforesaid terms.

(Mohit Kumar Shah, J)

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