

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13390 of 2024**

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1. Onkar Singh Son of Late Ramdas Singh, Resident of Village- Khanpur (Mauza- Sonawan), Police Station - Didarganj, District - Patna.
  2. Vijay Kumar, Son of Onkar Singh, Resident of Village- Khanpur (Mauza- Sonawan), Police Station - Didarganj, District - Patna.
  3. Ramdhir Kumar, Son of Onkar Singh, Resident of Village- Khanpur (Mauza- Sonawan), Police Station - Didarganj, District - Patna.
  4. Sudhir Kumar, Son of Onkar Singh, Resident of Village- Khanpur (Mauza- Sonawan), Police Station - Didarganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat Patna.
2. The Director General of Police, Bihar, at Patna.
3. The Commissioner of Patna, Government of Bihar, at Patna.
4. The District Collector, Patna, (Bihar).
5. The Senior Superintendent of Police, Patna (Bihar).
6. The Circle Officer, Patna, Bihar.
7. The SHO, Didarganj Police Station, Patna, Bihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Kameshwar Prasad Sinha, Advocate  
For the Respondent/s : Mr.Standing Counsel 18

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

- 3      18-09-2024                      1. The learned counsel for the respondent-State seeks to file a counter affidavit, which has already been filed online as also the learned counsel for the petitioners seeks to file a rejoinder affidavit, which too has been filed online. Let the same be kept on record.
2. The present writ petition has been filed seeking the following relief(s):-



*“1. That this writ application has been filed for issuance of a writ in the nature of Mandamus, or some other appropriate writ or writs or orders or directions for quashing the order contained in Annexure-1, directing the petitioners, through Letter No.6289, dated 05.08.24 issued from the office of the Circle officer Patna Sadar, in Encroachment Case No. 03/2024-25, to remove their hundred and one year old Dwelling House cum Tea Stall standing over Khata No. 76, Plot No.51, Thana No. 32 ad-measuring 1305 cft. (Gair-Mazarua Malik Land measuring one Kattha), situated at Village/Mauza- Khanwan, Sonawan (Khanpur), Police Station- Didarganj, District- Patna (Bihar), on which the petitioners have been coming in actual physical possession even then the petitioners have been served with the notice contained in Annexure-1, as aforesaid.”*

3. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the final order dated 16.09.2014, passed by the Circle Officer, Patna Sadar, in connection with Encroachment Case No.03 of 2014-15, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

4. It is needless to state that for a period of eight



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.

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

**(Mohit Kumar Shah, J)**

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