

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13268 of 2024

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1. Randhir Upadhyay Son of Sudhir Upadhyay Resident of Mohalla-Chhoti Milky (Near Shiv Mandir), Rajgir, P.S. Rajgir, District Nalanda.
 2. Ranjeet Kumar Son of Sudhir Upadhyay Resident of Mohalla-Chhoti Milky (Near Shiv Mandir), Rajgir, P.S. Rajgir, District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate Nalanda.
4. The Sub Divisional Officer, Rajgir District-Nalanda.
5. The Circle Officer, Rajgir District-Nalanda.
6. The SHO., Rajgir District-Nalanda.
7. Sanajay Kumar Gupta Son of Vishwanath Prasad Gupta Resident of Nichli Bazar, Rajgir, P.S.-Rajgir, District-Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim, Advocate
For the Respondent/s : Mr.Standing Counsel 25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 07-10-2024 1. Though, the present writ petition has been filed for quashing the notices dated 29.08.2024 and 09.07.2024, issued by the Circle Officer, Rajgir District-Nalanda, i.e. the respondent no.05, in connection with Encroachment Case No.36 of 2023-24, as well as the proceedings of the Encroachment Case No.05 of 2024-25, 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 respondent no.05 has already passed the final orders, under Section 6(1) of



the Bihar Public Land Encroachment Act, 1956, on 09.07.2024, in connection with Encroachment Case No.36 of 2023-24 and on 29.08.2024, in connection with Encroachment Case No.05 of 2024-25, hence in case the petitioners are aggrieved by the same, they may file appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956.

2. At this juncture, the learned counsel for petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid two orders, passed by the Circle Officer, Rajgir District-Nalanda, however, seek 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. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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