

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14207 of 2024

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Ajay Sah @ Ajay Kumar Sah S/o Late Ramchandra Sah, Resident of Village - Babhanauli, P.S.- Basantpur, Dist.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Saran Division, Chapara.
3. The Collector Cum District Magistrate, Siwan, Dist.- Siwan.
4. The Circle Officer, Lakadi Nabiganj, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Uday Pratap Singh, Adv.
For the Respondent/s	:	Mr.Government Pleader 14
		Mr.Subodh Kr. Mishra, AC to GP-14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-10-2024 1. The learned counsel for the respondent-State seeks to file a counter affidavit, copy whereof has already been filed online. Let the same be kept on record.

2. Though the present writ petition has been filed for quashing the notice dated 05.07.2024, issued by the Circle Officer, Lakadi Nabiganj, District-Siwan i.e. the respondent no.4, in connection with Encroachment Case No.02 of 2024-25, however, at the outset, the learned counsel for the respondent-State has referred to the counter affidavit filed in the present case to submit that the respondent no.4 has already passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act,



1956’), on 05.07.2024, hence in case the petitioner is so aggrieved he may file an appeal under Section 11 of the Act, 1956.

3. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 05.07.2024, by filing appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

4. It is needless to state that status quo, existing as on today, qua the land/house of the petitioner in question shall be maintained for a period of six weeks from today, in order to enable the petitioner 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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