

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13489 of 2024

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1. Devendra Kumar Son of Late Jai Ram Sharma Resident of Village- Khudauri, Police Station-Hulasganj, District- Jehanabad.
 2. Arun Kumar Son of Late Baliram Sharma Resident of Village- Khudauri, Police Station-Hulasganj, District- Jehanabad.
 3. Ravishankar Sharma S/o Late Ramadhar Sharma Resident of Village- Khudauri, Police Station-Hulasganj, District- Jehanabad.
 4. Panpati Devi Wife of Late Shri Ram Sharma Resident of Village- Khudauri, Police Station-Hulasganj, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna-1.
2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Old Secretariat, Patna-1.
3. The Divisional Commissioner, Magadh, Gaya.
4. The District Magistrate Cum Collector, Jehanabad.
5. The Sub-Divisional Magistrate, Jehanabad.
6. The Circle Officer, Hulasganj, Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Adv.
For the Respondent/s	:	Mr. Mujtabaul Haque, GP-12 Mr. Manish Kumar, AC to GP-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-10-2024 Though the present writ petition has been filed for quashing the notice dated 28.8.2024, issued by the Circle Officer, Hulasganj, Jehanabad, i.e. the Respondent No. 6, in connection with Encroachment Case No. 1 of 2024-25, however, the learned counsel for the Respondent-State has referred to the counter affidavit filed in the present case to submit that the final order under Section 6(1) of the Bihar



Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”) has already been passed by the Respondent No. 6 on 28.8.2024, hence, in case the petitioners are so aggrieved they may challenge the same, by filing appropriate appeal, under Section 11 of the Act, 1956.

2. In view of the aforesaid, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid order dated 28.8.2024, by filing appropriate appeal, 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/houses of the petitioners in question, shall be maintained, in order to enable them 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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