

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13780 of 2024

1. Hemant Kumar Son of Late Akhileshwar Singh Resident of H.No. A 64, Tranjit Camp, Tikri Khurd, P.S.- Nerela, District- New Delhi.
2. Lakhpati Kunwar Wife of Late Akhileshwar Singh Resident of Gali No. 11B, Santoshi Maa Path, Gaurakshini, P.S.-Sasaram District-Rohtas, Bihar, Pin-821115.
3. Sumant Kumar Son of Late Akhileshwar Singh Resident of Gali No. 11B, Santoshi Maa Path, Gaurakshini, P.S.-Sasaram District-Rohtas, Bihar, Pin-821115.
4. Himanshu Kumar Pankaj Son of Late Akhileshwar Singh Resident of Gali No. 11B, Santoshi Maa Path, Gaurakshini, P.S.-Sasaram District-Rohtas, Bihar, Pin-821115.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Department of Revenue and Land Reforms, Patna, Bihar.
2. The District Magistrate, Rohtas.
3. Sub Divisional Officer, Sasaram.
4. Deputy Collector Land Revenue, Sasaram.
5. Circle Officer, Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate Mr. Ansul, Advocate Ms. Sakshi Bhatnagar, Advocate
For the State	:	Mr. Asit Kumar Jha, AC to GP-2

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-11-2024 Though the present writ petition has been filed by the petitioners for quashing the notice dated 03.08.2024 issued by the Circle Officer, Sasaram, District-Rohtas i.e. the respondent no. 5, whereby and whereunder the petitioners have been intimated about the encroachment made by them over the land appertaining to Khata No.



147/245, Plot No. 162/249, admeasuring 06.244 decimal situated at village-Kuraiya, District-Rohtas at Sasaram, 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, Sasaram has already passed the final order dated 24.08.2024, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956'), in connection with Encroachment Case No. 04 of 2024-25, hence in case the petitioners are so aggrieved, they may file appropriate appeal under Section 11 of the Act, 1956.

2. At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid order dated 24.08.2024, by filing appropriate appeal under Section 11 of the Act, 1956, however, seeks some protection during the interregnum period. Liberty, so sought, is granted.

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 the petitioners 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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