

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14312 of 2024

1. Sandhesh Mahto S/o Babulal Mahto R/o Turhapattia, P.S.- Sirisiya (OP), District- West Champaran (Bihar)
2. Kishori Mahto S/o Babulal Mahto Resident of Turhapattia, P.S.-Sirisiya (OP), District- West Champaran (Bihar)
3. Awadhesh Mahto S/o Babulal Mahto, Resident of Turhapattia, P.S.-Sirisiya (OP), District- West Champaran (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate, west Champaran, Bettiah
3. The Additional Collector, West Champaran, Bettiah
4. The S.D.O. Bettiah, District- West Champaran
5. The Sub-Divisional Public Grievances Redressal officer, Bettiah, West Champaran
6. The Circle Officer, Chanpatia, West Champaran District
7. The Circle Amin, Circle, Chanpatia, West Chamapran Bettiah
8. The Halka Karmchari, Chanpatia, West Champaran District
9. Shahi Kuamr Rai Son of Late Harinarayan Rai, Resident of village-Turhapatti, P.S.-Sirisiya (OP), District-West Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shyam Sundar Kumar, Adv.

For the Petitioner/s : Mr.Sriyash Sundar Kumar, Adv.
For the Respondent/s : Mr.Santosh Chandra Bhaskar, AC to GP-11

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. The present writ petition has been filed for setting aside the notice dated 24.07.2024, issued by the Circle Officer, Chanpatia, District-West Champaran i.e. the respondent no.6, in connection with Encroachment Case No.3 of 2018-19.



3. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the final order dated 30.03.2024, passed by the Circle Officer, Chanpatia, District-West Champaran, in connection with Encroachment Case No.3 of 2018-19, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection during the interregnum period. Liberty so sought is granted.

4. At this juncture, the learned counsel for the petitioners has also referred to the report submitted by the Deputy Collector, Land Reform, Bettiah Sadar, dated 08.10.2024 to submit that though it has been found that the petitioners have encroached the gairmazarua road land by constructing houses, which is admittedly an encroachment made by the petitioners, however, he has stated therein, regarding settlement of another piece of land in favour of the petitioners, in case they fall under the category of such persons who are required to be settled elsewhere, as per the policy of the Government.

5. It is needless to state that in order to enable the petitioners to file appropriate appeal and seek interim order, status quo, existing as on today, qua the land/houses of the



petitioners in question shall be maintained for a period of six weeks from today.

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

(Mohit Kumar Shah, J)

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