

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15201 of 2023

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Nageshwar Yadav Son of Late Kail Yadav, Resident of village- Bhalua, P.S.-
Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Gaya.
2. The Circle Officer, Bodh Gaya, Gaya.
3. The Block Development Officer, Bodh Gaya, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Nagendra Sharma, Adv.
For the Respondent/s	:	Mr.Rishi Raj Sinha, SC-19
		Mr.Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 02-07-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1.That this is an application for issuance a
direction of Certiorari as nature of writ for
quashing/set aside the direction of Circle Officer,
Bodh Gaya in Case No. 06/2022-23 dated
15.02.2023 wherein and whereby, there is a
direction to vacate the land pertaining to khata
No. 116 plot no. 121 Thana No. 364 Mauza-
Bhalua admeasuring 504 square feet, without
knowing the ground reality of the matter.”*

2. At the outset, the learned counsel for the
respondent-State submits that the Circle officer, Bodh Gaya,
District-Gaya, has already passed the final order on 07.02.2023,



in connection with Encroachment Case No.06 of 2022-23, hence in case the petitioner is aggrieved, he may challenge the same by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment 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 07.02.2023, by filing appropriate appeal, however seeks some protection during the interregnum period. Liberty so sought is granted.

4. It is needless to state that for a period of four weeks from today, status quo, existing as on today qua the land/house of the petitioner in question, shall be maintained in order to enable the petitioner to file appropriate appeal and seek interim relief.

5. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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