

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13934 of 2024

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Tanuk Lal Sahu S/o Late Tezi Lal Sahu R/o Village- Radh, P.O. - Malmal, P.S.
- Kaluahi, District - Madhubani, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Madhubani, Bihar
3. The Superintendent of Police, Madhubani, Bihar
4. S.D.O. Madhubani, Bihar.
5. The Circle Officer, Kaluahi, Madhubani, Bihar.
6. S.H.O. Kaluahi, P.S.-Kaluahi, Madhubani, , Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Respondent/s : Government Advocate 13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 11-11-2024 Though the present writ petition has been filed for restraining the respondent-authorities from demolishing the house of the petitioner, situated at Mauza-Malmal, P.S.-Kaluahi, District-Madhubani, appertaining to Khata No.1159, Khesra No.225, as also for quashing the encroachment proceedings in question, 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, Kaluahi has already passed the final order, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No.05 of 2020-21, on 19.08.2024.



2. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 19.08.2024, 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.

3. 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 him 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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