

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14460 of 2024

1. Md. Salauddin @ Md. Slauddin Son of Late Md. Ramjan @ Md. Ramju Miyan Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
2. Imamuddin, Son of Late Mohammad Ramjan @ Md. Ramju Miyan Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
3. Kalam- Uddin @ Md. Kalam, Son of Late Ramjan @ Md. Ramju Miyan Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
4. Md. Nizam, Son of Late Md. Ramjan @ Md. Ramju Miyan Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
5. Najra Khatoon @ Nashra Khatoon, Daughter of Late Md. Ramjan @ Md. Ramju Miyan Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
6. Md. Mustakim @ Md. Mustamin, Son of Late Nek Rasul Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
7. Md. Ashraf, Son of Late Md. Mukhtar Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
8. Md. Alisher, Son of Late Md. Mukhtar Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
9. Md. Mirza Hassan @ Md. Mirja Hassan, Son of Late Md. Mukhtar Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
10. Md. Intakam, Son of Late Md. Jamal Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
11. Md. Imran, Son of Late Md. Jamal Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
12. Gulshan Khatoon, Daughter of Late Tahur Ali Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
13. Md. Shamad @ Md. Sahma Ali, Son of Late Tahur Ali Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
14. Md. Haider Ali, Son of Late Tahur Ali Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
15. Md. Ahmad, Son of Late Tahur Ali Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
16. Raushan Khatoon, Wife of Wasi Alam Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
17. Mohammad Alamgir, Son of Late Sarfuddin Resident of Mohalla- Mehdi



Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.

18. Md. Sohail, Son of Late Md. Jamshed Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
19. Md. Jahangir, Son of Md. Sarfuddin Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
20. Md. Kalim @ Kalim, Son of Late Rustam Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
21. Samsa Khatoon, Wife of Md. Murtuja Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
22. Md. Chand, Son of Late Md. Alimuddin Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
23. Md. Firoj, Son of Late Md. Alimuddin Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
24. Md. Moinuddin, Son of Late Md. Alimuddin Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
25. Md. Aslam @ Akhlam, Son of Late Abdul Hassan Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
26. Munna Quraishi @ Mannu, Son of Late Ramjan Quraishi @ Md. Ramjan Miyan Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
27. Sanjida Khatun, Daughter of Vashik Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
28. Md. Sarfu @ Sarfuddin, Son of Md. Ishu- Uddin Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.
29. Md. Ilahi, Son of Md. Tahur Sali @ Late Tahir Ali Resident of Mohalla- Mehdi Nagar, Samanpura, Ward No.- 5, Police Station- Shashtri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Land Revenue and Reforms Department, Government of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate, Patna.
4. The Deputy Collector Land Reforms, Patna.
5. The Commissioner, Patna Municipal Corporation, Patna.
6. The Sub-Divisional Officer, Patna Sadar, Patna.
7. The Circle Officer, Patna Sadar, Patna.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Adv.
Mr.Ramendra Kumar Bharti, Adv.
Mr.Zainul Abedin, Adv.
For the Respondent/s : Mr.Binod Kumar Yadav, SC-18
For the PMC : Mr.Prasoon Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 25-11-2024 1. Though the present writ petition has been filed for quashing the notice dated 07.09.2024, issued by the Circle Officer, Patna Sadar, District-Patna, i.e. the respondent no.7, in connection with Encroachment Case No.20 of 2022-23, however, at the outset, the learned senior counsel for the petitioners submits that since the Circle Officer, Patna Sadar, District-Patna, has already passed the final order 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.20 of 2022-23, on 07.09.2024, the petitioners be granted liberty to challenge the same, by filing appropriate appeals under Section 11 of the Act, 1956, however, some protection be granted to the petitioners during the interregnum period. Liberty so sought is granted.

2. It is needless to state that for a period of six 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 appeals and seek interim reliefs.

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

(Mohit Kumar Shah, J)

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