

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15542 of 2023

1. Sudama Ram @ Sudama Kumar Son of Late Bigan Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
2. Basant Ram Son of late Dhaneshwar Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
3. Manish Kumar Son of Mritunjay Kumar Suman @ Mahipal Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
4. Saroj Kumar Son of Late Sakhi Chand Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
5. Maheshwari Kunwer Wife of Late Kamata Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
6. Deepkali Devi Wife of Sri Tapeswar Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
7. Ajit Ram Son of late Sikandar Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
8. Ramashish Ram Son of late Aditiya Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
9. Bishwnath Ram Son of late Aditiya Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
10. Krishan Nandan Ram Son of late Sudin Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
11. Jaglal Ram Son of Late Mukhdev Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
12. Gyan Chand Ram Son of Late Jadu Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
13. Gulab Chand Ram Son of Late Jadu Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
14. Ram Lagan Ram Son of late Khaderan Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
15. Kanti Devi Wife of Srikant Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
16. Arti Devi Wife of Sri Jay Bind Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.
17. Lalan Ram Son of Sri Bhikhar Ram Resident of Village- Mahthu, P.O- Sarsauli, P.S- Jamhor, Anchal-Obra, District- Aurangabad, State- Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Bihar, Patna.



2. The District Magistrate, Aurangabad.
3. The Superintendent of police, Aurangabad.
4. The S.D.P.O, Daudnagar, Aurangabad.
5. The Sub-Divisional Officer, Daudnagar, Aurangabad.
6. The Circle officer, Obra, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Kant Kumar, Adv.
For the Respondent/s : Mr.Raj Kishore Roy (GP-18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-09-2024 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. At the outset, the learned counsel for the respondent-State submits that the Circle Officer, Obra, District-Aurangabad, 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'), on 26.11.2018, in connection with Encroachment Case No.10 of 2018-19, whereafter notice under Section 6(2) of the Act, 1956, has also been issued vide order dated 15.02.2019/29.07.2019, hence in case the petitioners are aggrieved by the aforesaid orders dated 26.11.2018 and 15.02.2019/29.07.2019, they may file appropriate appeal under Section 11 of the Act, 1956.

3. In view of the aforesaid stand put forth by the



learned counsel for the respondent-State, I deem it fit and proper to dispose off the present writ petition, while granting liberty to the petitioners to challenge the aforesaid orders passed by the Circle Officer, Obra, District-Aurangabad, if so advised, by filing appropriate appeal under Section 11 of the Act, 1956.

(Mohit Kumar Shah, J)

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