

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15405 of 2024

Hari Shankar Prasad Son of Ram Sudin Mahto Resident of Village-Bishanpur, P.O- Manopur, Ward no. 05, Police Station- Bhagwanpur, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Munger Division, Munger.
3. The Collector, Begusarai.
4. The Additional Collector, Revenue, Begusarai.
5. The Sub Divisional Magistrate, Teghra, Begusarai.
6. The Deputy Collector, Land Reforms Teghra, Begusarai.
7. The Circle Officer, Bhagwanpur, District-Begusarai.
8. The Officer-In-Charge, Bhagwanpur Police Station, Bhagwanpur, District-Begusarai.
9. The Gram Panchayat Raj Mokhtiyarpur through its Honourable Mukhiya, Block-Bhagwanpur, District-Begusarai.
10. Nandlal Mahto Son of Late Adhik Lal Mahto Resident of Village-Bishanpur, P.O.-Manopur, Police Station-Bhagwanpur, District-Begusarai.
11. Ramanuj Mahto Son of Bechan Mahto Resident of Village-Bishanpur, P.O.-Manopur, Police Station-Bhagwanpur, District-Begusarai.
12. Yogendra Mahto Son of Late Shankar Mahto Resident of Village-Bishanpur, P.O.-Manopur, Police Station-Bhagwanpur, District-Begusarai.
13. Dhiraj Kumar Son of Angad Mahto Resident of Village-Bishanpur, P.O.-Manopur, Police Station-Bhagwanpur, District-Begusarai.
14. Ram Lalit Rai Son of Ram Pratap Rai Resident of Village-Bishanpur, P.O.-Manopur, Police Station-Bhagwanpur, District-Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Jha, Adv.
For the Respondent/s : Mr.Government Pleader (3)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 02-12-2024 1. Though the present writ petition has been filed for setting aside the encroachment proceedings initiated by the Circle Officer, Bhagwanpur, District-Begusarai, i.e. the



respondent no.7, vide Encroachment Case No.05 of 2022-23, however, at the outset, the learned counsel for the respondent-State submits that the respondent no.7 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 17.08.2024, hence in case the petitioner is so aggrieved, he may challenge the same by filing an appeal under Section 11 of the Act, 1956.

2. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 17.08.2024, by filing appropriate appeal under Section 11 of the 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 six 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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