

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16326 of 2024

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1. Uma Nath Mandir at Banarsi, Barh, Patna represented through its Mahanth, Upendra Bharti (male), aged about 43 years, son of Mahanth Vishwanath Bharti @ Vishwanath Prasad, resident of Banarsi, P.O. and P.S. - Barh, District- Patna, PIN Code - 803213 (Bihar).
 2. Mahanth Upendra Bharti, Son of Mahanth Vishwanath Bharti @ Vishwanath Prasad, resident of Banarsi, P.O. and P.S.- Barh, District- Patna, Pin Code- 803213 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate- cum-Collector, Patna.
2. The Deputy Collector, Land Reforms, Patna, District- Patna.
3. The Circle Officer, Barh, District- Patna.
4. The Sub-Divisional Officer, Barh, District- Patna (Adhyaksha), Umanath Mandir Trust Committee, Barh, Patna.
5. The Sub-Divisional Police Officer, Barh, District- Patna (Upadhyaksha), Umanath Mandir Trust Committee, Barh, Patna.
6. Mahaanth Nigmanand Bharti, (Sanrakshak), Umanath Mandir Trust Committee, Barh, Patna.
7. Most. Kanak Kumari, (Secretary), Umanath Mandir Trust Committee, Barh, Patna.
8. Karnveer Singh Yadav @ Lallu Mukhiya, Sah- Sachiv, Umanath Mandir Trust Committee, Barh, Patna.
9. Sant Kumar Yadav, (Member), Umanath Mandir Trust Committee, Barh, Patna.
10. Ashok Kumar Singh (Member), Umanath Mandir Trust Committee, Barh, Patna.
11. Ashutosh Bhardwaz (Member), Umanath Mandir Trust Committee, Barh, Patna.
12. Sudhir Kumar (Member), Umanath Mandir Trust Committee, Barh, Patna.
13. The Bihar State Religious Trust Board, Vidyapati Marg, Patna represented through its Chairman.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Prasad, Adv.
For the State	:	Mr.Raghundendra Kumar, SC-22
		Mr.Vikramadit, AC to SC-22
For the Religious Trust	:	Mr.Gopal Trivedi, Sr. Adv.
		Mr.Saurabh Suman, Adv.
		Mr.Ritik Shah, Adv.



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-10-2024 1. The limited prayer made by the petitioners in the present case is that since the petitioners have already filed objections to the notice issued by the Circle Officer, Barh, Patna i.e. the respondent no.3, under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act, 1956'), on 09.10.2024, the respondent no.3 be directed to pass the final order under Section 6(1) of the Act, 1956 and till then some protection be granted.

2. Per contra, the learned counsel for the respondent-State submits that in case the final order has not yet been passed under Section 6(1) of the Act, 1956 and in case the petitioners have filed any objections, the same would be considered and even otherwise the final order under Section 6(1) of the Act, 1956, shall be passed, within a stipulated time frame, as is fixed by this Court.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the respondent no.3 to consider the objections, if any, filed by the petitioners and pass the final order under Section 6(1) of the Act, 1956, within a period of six weeks from today and till then, no coercive action shall be taken against the petitioners.



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

(Mohit Kumar Shah, J)

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