

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16478 of 2024

1. Santoshi Yadav son of Late Bhup Yadav, Resident of Village- Barahi, Itwa Shiva Nagar, P.S.-Biraul, Dist.-Darbhanga.
2. Shiv Kumar Yadav, son of Late Jaganarayan Yadav, Resident of Village- Barahi, Itwa Shiva Nagar, P.S.-Biraul, Dist.-Darbhanga.
3. Ram Padarath Yadav, son of Late Jagnarayan Yadav, Resident of Village- Barahi, Itwa Shiva Nagar, P.S.-Biraul, Dist.-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Secretary, Revenue and Land Reforms Govt. of Bihar, Bihar, Patna.
2. The District Magistrate cum Collector, Darbhanga.
3. The Sub Divisional Officer, Biraul, Darbhanga.
4. The Circle Officer, Biraul, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate
For the Respondent/s : Mr.Mahendra Pd. Verma, AC to SC-20

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 4 16-12-2024 1. Though the present petition has been filed for quashing the notice dated 27.02.2024, issued by the Circle Officer, Biraul, Darbhanga, i.e. the respondent no.4, however, at the outset, the learned counsel for the respondent-State submits that the Circle Officer, Biraul, Darbhanga 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 23.02.2024, in connection with Encroachment Case No.28 of 2020-21, hence in case the petitioners are so aggrieved, they may file appropriate 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 23.02.2024, 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/houses of the petitioners in question shall be maintained so as to enable the petitioners to file appropriate appeal and seeks interim relief.

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

(Mohit Kumar Shah, J)

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