

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15788 of 2023

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1. Om Prakash Mandal Son of Hari Narain Mandal, Resident of Village Belha Anchal Ghogardiha, P.S. Phulparas, District- Madhubani.
 2. Krishnadeo Mandal, Son of Damodar Mandal, Resident of Village Belha Anchal Ghogardiha, P.S. Phulparas, District- Madhubani.
 3. Ram Kumar Ram, Son of Bechan Ram, Resident of Village Belha Anchal Ghogardiha, P.S. Phulparas, District- Madhubani.
 4. Ram Lakhan Roy, Son of Thakai Roy, Resident of Village Belha Anchal Ghogardiha, P.S. Phulparas, District- Madhubani.
 5. Ram Lochan Sah, Son of Late Bilat Sah, Resident of Village Belha Anchal Ghogardiha, P.S. Phulparas, District- Madhubani.
 6. Bishnudeo Ray, Son of Thakai Ray, Resident of Village Belha Anchal Ghogardiha, P.S. Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl Chief Secretary Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Sub-Divisional Magistrate, Phulparas District- Madhubani.
4. The Deputy Collector, Land Reforms, Phulparas, District- Madhubani.
5. The Circle Officer, Ghogardiha, District- Madhubani.
6. Visheshwar Mandal, Son of Late Bhagwat Mandal, Resident of Village Belha Bathnama, P.S. Phulparas, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha (SC- 19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this petition in writ jurisdiction of this Hon'ble Court is being filed for issuance of an appropriate writ, order or direction to the Respondent authorities especially Respondent



No.5, the Circle Officer to dispose of the Encroachment Case No.19/2021- 22 in terms of the order of this Hon'ble Court dated 25.2.2022/6.9.2023 passed in C.W.J.C. No.2215/2022 and M.J.C. No. 1249/2022 after hearing the affected parties including the petitioner.”

2. At the outset, the learned counsel for the respondent-State submits that an encroachment proceeding vide Encroachment Case No.19 of 2021-22, has already been initiated by the Circle Officer, Ghoghardiha, District-Madhubani and only after issuance of notice to the petitioners and seeking their objections, the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, shall be passed and till then no coercive action shall be taken against the petitioners. It is directed accordingly.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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