

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16386 of 2024

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Uday Singh @ Kumar Uday Singh Son of Late Sukdev Singh @ Late Sukhdev Singh @ Lodhu Mandal, resident of Village-Bihma, P.S.-Tarapu, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Government of Bihar, Old Secretariat, Patna, Bihar.
2. The Collector, Munger, District-Munger.
3. The Additional Collector, Land and Revenue, Munger, District-Munger.
4. The Circle Officer (Anchaladhikari) of Tarapur Circle, District-Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Jha, Adv.
For the Respondent/s	:	Mr.Government Advocate (02)
		Mr.Akhileshwar Singh, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 02-12-2024 1. Though the present writ petition has been filed for quashing the notice dated 07.10.2024, issued by the Circle Officer, Tarapur, District-Munger i.e. the respondent no.4, in connection with Encroachment Case No.7 of 2023-24, however, at the outset, the learned counsel for the respondent-State has submitted by referring to the counter affidavit filed in the present case that the respondent no.4 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 05.09.2024, hence in case the petitioner is so aggrieved, he may challenge the same by filing 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 05.09.2024, 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 in case appropriate appeal is filed within a period of four weeks from today, the same would be considered by the appellate authority on merits.

4. In the meantime, status quo, existing as on today, qua the land/house of the petitioner in question, shall be maintained for a period of six weeks from today, in order to enable him to file appropriate appeal and seek interim relief.

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

(Mohit Kumar Shah, J)

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