

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1473 of 2024

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1. Bharat Prasad @ Bharat Prasad Gupta Son of Raghu Nath Prasad Gupta, Resident of Village- Mainatand Police Station- Mainatand, District- West Champaran.
 2. Jai Prakash @ Jai Prakash Prasad, Son of Abhimanu Prasad, Resident of village- Mainatand, Police Station - Mainatand, District- West Champaran.
 3. Vikram Chaurasiya, Son of Late Shankar Prasad Chaurasiya, Resident of village- Mainatand, Police Station - Mainatand, District- West Champaran.
 4. Vikash Kumar, Son of Subhash Prasad, Resident of village- Chapariya Tola Rampurwa, Police Station - Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The Additional District Magistrate, West Champaran at Bettiah.
4. Sub Divisional Magistrate, Narkatiyaganj, District- West Champaran.
5. DCLR, Narkatiyaganj, District- West Champaran.
6. Circle Officer, Mainatand, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Zainul Abedin, Advocate
For the Respondent/s : Standing Counsel-15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 25-11-2024 Though the present writ petition has been filed for quashing the encroachment proceedings, initiated by the Circle Officer, Mainatand, vide Encroachment Case No. 16 of 2023-24, however, at the outset, the learned counsel for the Respondent-State has submitted that in the present case, the Circle Officer, Mainatand, 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 9.11.2023, hence, in case the petitioners are so aggrieved they may prefer an appeal under Section 11 of the Act, 1956.

2. At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the aforesaid order dated 9.11.2023, by filing appropriate appeal, however, seeks some protection during the interregnum period. Liberty, so sought, is granted.

3. It is needless to state that for a period of four weeks from today, status quo, existing as on today qua the land/houses of the petitioners in question, shall be maintained, in order to enable them to file appropriate appeal and seek interim relief.

4. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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