

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22593 of 2018

1. Jung Bahadur Ram @ Jang Bahadur Paswan and Ors Son of late Bansropan Ram@ Bansropan Paswan
2. Muni Paswan Son of late Bansropan Paswan
3. Jai Prakash Paswan Son of late Suryabansh Prasad@ Suryabansh Paswan
4. Shivji Paswan Son of Ramvrit Paswan
5. Ram Pravesh Paswan Son of Ramvrit Paswan
6. Ram Singhasan Paswan@ Singhasan Paswan Son of late Ram Bachchan Paswan
7. Ayodhya Paswan Son of late Harbans Paswan
8. Shakuntla Kuer Widow of late Jagarnath Paswan All 1 to 8 Resident of Village- Biso Dehri, Circle and P.S. Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector-cum- District Magistrate, Rohtas at Sasaram.
2. The Collector-cum- District Magistrate, Rohtas at Sasaram.
3. The Circle Officer, Kargahar, District- Rohtas.
4. Surendra Nath Singh Son of late Bishwanath Rai
5. Dhirja Nandan son of late Saryu Singh
6. Ram Dhyan Singh son of late Basdeo Singh All Respondent No. 4, 5 and 6 Resident of Village- Biso Dehri, Circle and P.S. Kargahar, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Subash Kumar, Advocate
For the Respondent/s	:	Mr.Md.Khurshid Alam -Aag12
		Mr.Majid Mahboob Khan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 05-10-2024 1. Though, the present writ petition has been filed for quashing the notice, issued by the Circle Officer, Kargahar, District-Rohtas, in connection with Encroachment Case No.07 of 2018-19, however, the learned counsel for the respondent-State submits by referring to the counter affidavit, filed in the



present case that the Circle Officer, Kargahar, District-Rohtas has not passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No.07 of 2018-19 and in the meantime, the present writ petition has been filed, hence the further proceedings of the said encroachment case have been kept in abeyance.

2. At this juncture, the learned counsel for the petitioners submits that the petitioners be granted liberty to file their objections in the aforesaid encroachment case within a period of four weeks from today, whereafter, the Circle Officer, Kargahar, District-Rohtas may be directed to pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and during the interregnum period some protection be granted to the petitioners.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioners to file their objections before the Circle Officer, Kargahar, District-Rohtas, in connection with Encroachment Case No.07 of 2018-19, within a period of four weeks from today, which shall be considered by the Circle Officer, Kargahar, District-Rohtas, in accordance with law and thereafter, the final order under Section



6(1) of the Bihar Public Land Encroachment Act, 1956, shall be passed within a period of six weeks and till then no coercive action shall be taken against the petitioners.

4. It is needless to state that in case no objection is filed by the petitioners within a period of four weeks from today, the Circle Officer, Kargahar, District-Rohtas shall proceed to pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No.07 of 2018-19, forthwith.

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

(Mohit Kumar Shah, J)

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