

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14468 of 2018

=====

Pankaj Kumar Rai @ Pankaj Rai Son of Late Jaiprakash Rai, resident of Village- Pachphera, Ward No. -3, P.O.- Kusoudhi, Circle- Hathua, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector-cum-District Magistrate, Gopalganj.
2. The District Magistrate, Gopalganj.
3. The Circle Officer, Hathua, District- Gopalganj.
4. Ashwani Kumar, Son of Suraj Rai, resident of Village- Pachphera, P.O.- Kusoudhi, Circle- Hathua, P.S.- Mirganj, District- Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No-5
For the State : Mr.Raj Kishore Roy - Gp18

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 11-09-2024 The present writ petition has been filed seeking the following relief(s):-

“1(a) For quashing of the notice dated 06.07.2018, issued under the signature and seal of the respondent no.3, the Circle Officer, Hathua, as contained in Annexure-3 of this application.

(b) and further for a direction to the respondent authority not to demolish any part of the residential house of the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 5/6.07.2018, passed by the Circle Officer, Hathua, in



connection with Encroachment Case No.06 of 2007-08, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956, however, seeks some interim protection. 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 appellate authority shall consider the same on merits, without being impeded by the issue of limitation and pass a reasoned and a speaking order, in accordance with law, forthwith, and in order to enable the petitioner to file appropriate appeal and seek interim relief, I deem it fit and proper to direct the parties to maintain status quo, existing as on today, qua the land/house of the petitioner in question for a period of eight weeks from today.

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

(Mohit Kumar Shah, J)

kanchan/-

U			
---	--	--	--

