

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12107 of 2025**

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1. Satyendra Mukhiya @ Satindr Mukhiya S/o- Gulli Mukhiya Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.
  2. Budha Devi W/o- Devilal Mukhiya Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.
  3. Fuljhariya Devi, W/o- Jogi Mukhiya Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.
  4. Suresh Rai S/o- Late Ramadeni Rai Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.
  5. Ramfal Rai, S/o- Late Shavnandan Rai Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.
  6. Shailendra Mukhiya, S/o- Late Paras Mukhiya Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.
  7. Ramdev Rai S/o- Late Janak Rai Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.
  8. Ratnesh Yadav S/o- Ramdev Rai, Resident of Village- Kuarpur, P.S.- Pipra, Circle- Chakia, District-East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, East Champaran.
4. The Circle Officer, Adapur, District- East Champaran.
5. Sakal Dev Rai Son of Late Lakhan Rai, Resident of Village-Hasanpur, P.S.- Pipra, Circle- Chakia, District- East Champaran, Motihari.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Sharda Nand Mishra- Advocate<br>Mr. Sumit Kumar Gupta- Advocate |
| For the Respondent/s | : | Mr. Government Pleader (18)<br>Mr. Viveka Nand Singh- AC to GP-18   |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      07-08-2025                      1. Heard learned counsel for the petitioners and  
  
learned AC to GP-18 for the State Mr. Viveka Nand Singh.



2. The learned counsel appearing on behalf of the petitioners submits that petitioners had to rush to this Court as the final order passed under Section 6(1) of the Bihar Land Encroachment Act in Land Encroachment Case No.09 of 2022-23 by the Circle Officer, Chakia, East Champaran, Motihari was not being supplied to them, as such, the petitioners could not move in appeal against the order passed under Section 6(1) of the Bihar Land Encroachment Act, 1956 before the Collector. It is next submitted that during the pendency of the writ application the order dated 04.07.2023 passed by the Circle Officer in Land Encroachment Case No.09 of 2022-23 was issued to the petitioners, as such, the same has been challenged by filing I.A. No.01 of 2025.

3. The learned State Counsel submits that since the order dated 04.07.2023, now has been served on the petitioners, as such, the petitioners now can assail the order dated 04.07.2023 in appeal before the Collector, on which the learned counsel appearing on behalf of the petitioners submits that appeal before the Collector against the order dated 04.07.2023 passed by the Circle Officer in Land Encroachment Case No.09 of 2022-23 shall be filed on or before 29.08.2025.

4. After hearing the learned counsel for the parties,



the writ application is disposed of with liberty to the petitioners to file an appeal before the Collector, East Champaran, Motihari against the order dated 04.07.2023 in Land Encroachment Case No.09 of 2022-23 on or before 29.08.2025.

5. It is made clear that if any appeal is filed by the petitioners against the dated 04.07.2023 in Land Encroachment Case No.09 of 2022-23 before the Collector on or before 29.08.2023, in that event, the Collector shall consider and dispose of the same within a period of three months thereafter in accordance with law after giving proper opportunity of hearing to all concerned including the petitioners.

6. It is further made clear that no coercive action shall be taken against the petitioners till 29.08.2025. Further, if any appeal is filed on or before 29.08.2025, in that event, it shall be solely at the discretion of the Collector to extend or not to extend the period of stay.

**(Satyavrat Verma, J)**

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