

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18038 of 2024

Sanjay Kumar Sharma @ Sushil Sharma S/o Rama Kant Sharma Resident of
Village- Banuchhapar, Ward No-12, P.S.- Banu Chhapar, Dist- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-Cum-District Magistrate, West Champaran at Bettiah.
2. The Collector-Cum-District Magistrate, West Champaran at Bettiah.
3. The Sub-Divisional Officer, Bettiah Sadar, Bettiah, District-West Champaran.
4. The Circle Officer, Bettiah Block, Bettiah, District-West Champaran.
5. The officer-in-Charge, Banuchhapar Police Station, Banuchhapar, Dist.-West Champaran.
6. Arbind Mahto Son of Raja Ram Mahto Resident of Village-Banuchhapar, Ward No. 12, P.S.-Banu Chhapar, Dist.-West Champaran.
7. Arun Kumar Son of Raja Ram Mahto Resident of Village-Banuchhapar, Ward No. 12, P.S.-Banu Chhapar, Dist.-West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Adv. Md. Dilshad Alam, Adv. Mr. Bharti Rai, Adv. Mr. Sitesh Kashyap, Adv.
For the State	:	Mr. Kumar Pankaj, AC to SC-5

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-01-2025 Though the present writ petition had been filed for quashing the notice dated 24.10.2024, filed by the Circle Officer, Bettiah Block, District-West Champaran, i.e. the Respondent No. 4, in connection with Encroachment Case No. 8 of 2015-16, 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 final order, under



Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), has already been passed by the Respondent No. 4, in connection with Encroachment Case No. 8 of 2015-16, on 14.9.2024, hence, in case the petitioner is so aggrieved he may challenge the same, by filing an appeal under Section 11 of the Act, 1956.

2. At this juncture, the leaned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 14.9.2024, by filing appropriate appeal under Section 11 of the Act, 1956, by utilizing the photocopy of the aforesaid order dated 14.9.2024, annexed to the counter affidavit filed in the present case, 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/house of the petitioner in question, shall be maintained, in order to enable him 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)

Ajay/-

U			
---	--	--	--

