

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2407 of 2023

In
Civil Writ Jurisdiction Case No.17417 of 2018

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Ramashankar Sah Son of Sri Vega Sah, resident of village- Bardaha,
Banhaura Bazaar, Ward No. 07, P.S. Jagdishpur, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms Department Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The Sub-Divisional Officer, Bettiah, District - West Champaran.
4. Sri Bhashkar, the Circle Officer, Nautan Anchal, District - West Champaran.
5. Taslim Miyan, son of Late Jhagru Miyan, resident of village - Banhaura Bazaar, P.S. Jagdishpur, District - West Champaran at Bettiah.
6. Bhimal Miyan, Son of Late Bhola Miyan, resident of village - Banhaura Bazaar, P.S. Jagdishpur, District - West Champaran at Bettiah.
7. Munna Sah, Son of Khublal Sah, resident of village - Banhaura Bazaar, P.S. Jagdishpur, District - West Champaran at Bettiah.
8. Jalal Miyan, son of Late Usman Miyan, resident of village - Banhaura Bazaar, P.S. Jagdishpur, District - West Champaran at Bettiah.
9. Ramnath Chaudhary, son of Late Jagdeo Chaudhary, resident of village - Banhaura Bazaar, P.S. Jagdishpur, District - West Champaran at Bettiah.
10. Rajendra Sah, son of Late Benga Sah, resident of village - Banhaura Bazaar, P.S. Jagdishpur, District - West Champaran at Bettiah.
11. Rahmatullah Miyan, son of Late Noor Miyan, resident of village - Nautan Sota, P.S. - Jagdishpur, District - West Champaran at Bettiah.
12. Pannalal Sah, son of Late Shivnandan Sah, resident of village - Nautan Sota, P.S. - Jagdishpur, District - West Champaran at Bettiah.
13. Nek Miyan, son of Late Yasin Miyan, resident of village - Nautan Sota, P.S. - Jagdishpur, District - West Champaran at Bettiah.
14. Boljan Miyan, son of Late Fulman Miyan, resident of village - Nautan Sota, P.S. - Jagdishpur, District - West Champaran at Bettiah.
15. Sunil Sah, son of Sri Gopal Sah, resident of village - Mahuawa, P.S. - Nautan, District - West Champaran.
16. Qyum Ansari, son of Serajuddin Ansari, resident of village - Silhuliya, P.S. - Nautan, District - West Champaran.
17. Binod Sah, son of Manager Sah, resident of village - Harinagar, P.S. Jagdishpur, District - West Champaran
18. Mainuddin Miyan, son of Late Yasin Miyan, resident of village - Banhaura Sota, P.S. - Jagdishpur, District - West Champaran.



... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Advocate
For the Opposite Party/s : Mr.Sajid Salim Khan (SC-25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 25-02-2026 The Ld Counsel for the opposite parties submits that though the Circle Officer, Nautan, District-West Champaran at Bettiah has passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 on 05.08.2024 in connection with Encroachment Case No. 09 of 2019-20, however the encroachers had approached this Court by filing a writ petition bearing CWJC No. 14012 of 2024, wherein this Court by an order dated 28.10.2024 has granted liberty to the writ petitioners of the said case to challenge the aforesaid order dated 05.08.2024, by filing appropriate appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956 and further protection has been granted for six weeks.

2. The Ld. Counsel for the opposite parties further submits that the encroachers have filed appeal bearing Encroachment Appeal Case No. 44 of 2024-25 and the same would definitely be disposed off expeditiously, whereafter appropriate action shall be taken according to the outcome of the said appeal.

3. *Per contra*, the Ld. Counsel for the petitioner submits that



the appellate authority be directed to dispose off the appeal within a period of six weeks from today and take appropriate action thereafter, in accordance with law.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present petition by directing the appellate authority to dispose off the aforesaid encroachment appeal within a period of six weeks and accordingly take further action as per the outcome of the said appeal, in accordance with law, within a period of four weeks, thereafter.

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

(Mohit Kumar Shah, J)

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