

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1361 of 2018

Safi Alam Khan Son of Sadre Alam Khan, Resident of Village- Bhoju Khan
Ke Tola, Yado Pipra, P.S. Hathwa, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Gopalganj, Dist-Gopalganj
2. The Collector, Gopalganj, District- Gopalganj.
3. The Circle Officer, Hathwa, Block, District- Gopalganj.
4. The Officer-in-charge, Hathwa, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava, Advocate
For the Respondent/s : Mr.Sajid Salim Khan -Sc25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 26-07-2022

Though the present writ petition was filed for quashing the encroachment proceeding, however considering the fact that the final order has been passed by the Circle Officer, Hathwa Block, Gopalganj on 13.12.2017, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the same by filing an appeal, however submits that it be indicated that the case of the petitioner is similar to those who have been exempted from the said encroachment proceeding. It is indicated that the said aspect of the matter shall be taken into consideration by the Appellate authority.

Accordingly, the present writ petition stands disposed



off, however with liberty to the petitioner to file appropriate appeal before the respondent no. 2 i.e. the Collector, Gopalganj, within a period of four weeks from today and if such an appeal is filed, the respondent no. 2 shall consider the same in accordance with law and dispose it off, within a period of 12 weeks, thereafter.

It is needless to state that *status quo*, existing as on today, shall be maintained for a period of four weeks from today in order to enable the petitioner to file appropriate appeal and seek interim relief.

(Mohit Kumar Shah, J)

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