

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12568 of 2015

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1. Budhu Das
 2. Ram Rup Das Both sons of Sita Das
 3. Laxman Das
 4. Lallu Das
 5. Maneshwar Das All sons of Maheshwar Das All Resident of Village - Rema P.S.
Goh, District- Aurangabad

.... Petitioners

Versus

1. The State of Bihar through the Commissioner, Magadh Division, Gaya
2. The Commissioner, magadh Division, Gaya
3. The District Magistrate, Aurangabad
4. The Sub-Divisional Officer, Aurangabad
5. The Circle Officer, Goh, Aurangabad

.... Respondents

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Appearance :

For the Petitioners : Mr. Anil Kumar Sinha, Advocate

For the State : Mr. Madhukar Mishra, AC to SC 31

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 25-08-2015

Heard learned counsel for the petitioner and the State.

It appears that the notice dated 26.11.2013 issued in Encroachment Case No. 1/2012-13 is sought to be quashed in the present writ application.

There is no averment in the writ petition that the petitioners are not the encroachers though a stand has been taken that they are residing illegally as encroachers upon the land since last 50 years but except that nothing has been stated in the writ petition.

In my considered opinion, the petitioners have miserably failed to

set forth any ground warranting interference by this Court in the order issuing notice upon them in the aforesaid encroachment case.

Accordingly, this writ application is dismissed.

However, the Circle Officer concerned is directed to proceed in the matter expeditiously and take a final decision in accordance with law after granting reasonable opportunity of hearing to the petitioners and all concerned within a period of two months from today if the same has already not been taken.

(Dr. Ravi Ranjan, J)

SC/-

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