

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19190 of 2012

=====

Shidheshwar Bhagat @ Sudheshwar Bhagat S/O Late Matukdhari Bhagat
R/O Villge- Sahabajpur, Police Station- Tekari, Post Office- Nepa Fatehpur,
District- Gaya

.... Petitioner

Versus

1. The State Of Bihar Through Principal Secretary Department Of Land Revenue, Government Of Bihar, Patna
2. Principal Secretary Department Of Land Revenue, Government Of Bihar, Patna
3. The Principal Secretary Department Of General Administration, Government Of Bihar, Patna
4. The District Magistrate, Gaya
5. The Sub Divisional Officer, Tekari, Gaya
6. The Block Supply Officer, Tekari, Gaya

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Anand Kr. Ojha, Advocate
For the State : Mr. Uma Shankar, G.P. 4

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 17-09-2015

Heard learned counsel for the petitioner and the State.

It is contended on behalf of the petitioner that he has been thrown out without following the procedure.

However, the stand of the State is that he had constructed a house on the public land and in view of the order passed by a Division Bench of this Court, the Circle Officer issued notice and, finding him having encroached the concerned land, had demolished the same in compliance of the order of this Court during the pendency of the contempt case.

Learned counsel for the State has submitted that there

is no chit of paper in favour of the petitioner's title and there is mere assertion in the title suit regarding oral settlement with erstwhile Zamindar. However, entry in the cadastral survey record of right of the concerned land is Anabad Sarwasadharan Chour and, as such, this is a public land. The aforesaid entry has never been challenged by the petitioner till date.

On such submission having been made, petitioner seeks withdrawal of the case to approach the competent forum which would be available under law for establishing his right, title and interest over the land

Accordingly, this writ application is dismissed as withdrawn with the aforesaid liberty granted to the petitioner. It is made clear that if the petitioner approaches the competent forum, it should proceed on its own merit and in accordance with law.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

U			
---	--	--	--