

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16502 of 2014

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Uma Shanker Rai son of late Binda Rai, resident of Village-Bahuaara Patti,
(Tola Nandpur), P.S.-Madhaura, District-Chapra, Saran

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Patna.
2. The Commissioner, Saran Range, Chapra.
3. The District Magistrate, Saran, Chapra.
4. The Additional District Magistrate, Encroachment, Saran, Chapra.
5. The Sub Divisional Magistrate, Madhaura, Saran.

.... Respondents

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Appearance :

For the Petitioners : Mr. Nagendra Prasad Yadav, Advocate

For the Respondent : Mr. Sandeep Kumar, GA-8

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 03-08-2015 Having heard Mr. Nagendra Prasad Yadav, learned
Counsel, appearing for the petitioner, and Mr. Sandeep Kumar,
learned Government Advocate No.8, appearing for the
respondents, we do not find that petitioner has been able to make
out any case calling for interference by this Court in exercise of
extraordinary jurisdiction under Article 226 of the Constitution of
India inasmuch as the question, as to whether the land has or has
not been encroached upon, is not an admitted position and none
of the encroachers has been made party to the writ petition. This
apart, the petitioner has the remedy of instituting appropriate suit
for the reliefs, which he has sought for.

In view of the above, this application stands
disposed of

(I. A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

Pawan/-

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