

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14057 of 2012**

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1. Lok Nath Mandal S/O Late Bhubeshwar Mandal R/O Village- Srichak,  
P.S.- Sanholla, District- Bhagalpur

.... .... Petitioner/s

Versus

1. The State Of Bihar through the Secretary Urban Department, Govt. of Bihar, Patna.
2. The District Collector, Bhagalpur, District- Bhagalpur
3. The Subdivisional Officer, Kahalgaon, District- Bhagalpur
4. The Senior Superintendent of Police, Bhagalpur, District- Bhagalpur
5. The Anchaladhikari, Sanholla, District- Bhagalpur

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra and  
Mr. Dhananjay Kumar Gupta Advocates.  
For the Respondent/s : Mr. Nutan Kumar Sharma AC to GA-9

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

2 12-10-2015

Heard.

The respondent-Circle Officer by Annexure-2 has restrained the petitioner from using his land in different khatahs and khasra nos. measuring an area of 03.09 acres. The petitioner has raised a grievance thereagainst.

In the counter affidavit, the respondents have only stated without disclosing the details that several litigations are going on between the petitioner and other parties over the land and as such on recommendation made by the local police station a proceeding under Section 107 of the Cr.P.C. has been initiated.

Mr. Mishra, counsel for the petitioner states that no

proceeding under any provision of the Cr.P.C. has been initiated with respect to the land in which the petitioner has been issued notice. It is further submitted that in response to the notice (Annexure-2) a show cause was filed before the Circle Officer but no action has been taken thereon. In such situation, he has also ventilated his grievance before the District Collector. He submits that the present application be disposed of permitting him to file a fresh representation against the said action/inaction of the respondent Circle Officer for consideration and disposal by the District Collector ( respondent no.2). Without opining any view on the merit of the case, the writ application is disposed of permitting the petitioner to raise his grievance as raised in this writ application by way of representation before the District Collector for consideration and disposal expeditiously in accordance with law.

**(Kishore Kumar Mandal, J)**

Shyam/-

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