

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1722 of 2016

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1. Mostt. Bimal Devi @ Mostt. Bimal Kumari Devi Wife of Late Chandra Kant Yadav
2. Suresh Pd. Yadav S/o Late Ram Autar Yadav Both resident of village - Dhoeghat Mishrauliya, P.S. Sadar, Distt. - Darbhanga

.... Petitioners

Versus

1. The State of Bihar
2. The Collector - Cum - District Magistrate, Darbhanga
3. Sub - Divisional officer, Sadar, Darbhanga
4. Circle officer, Sadar, Darbhanga

.... Respondents

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Appearance :

For the Petitioner : Mr. Saroj Kumar, Advocate
For the Respondents : Mr. Aditya Nath Jha, AC to SC 18

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 07-12-2016

Heard parties.

If the petitioners' claim is correct then this is very unfortunate that the petitioners' Encroachment Appeal No. 81/2015 has remained pending and petitioners claim that, in the meantime, their house has been demolished. However, since the appeal is pending, this Court is not in a position to adjudicate the matter at this stage.

Accordingly, this writ application is being disposed of with a direction to the Collector, Darbhanga to take a final decision in the aforesaid encroachment appeal after granting reasonable opportunity to all the concerned within a period of six months from



the date of receipt / production of a copy of this order. The petitioners would be at liberty to raise all the issues before the appellate authority including the one that the appeal was filed on 19.6.2015 and without waiting for the verdict of the appellate authority, the petitioners' house was demolished on 23.7.2015.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.03.2017
Transmission Date	NA

