

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20289 of 2014

Kusheshwar Purvey Purvey, son of late Mahabir Purvey, resident of Village-Chichri Buzurg Tole Ganj, P.S. and Anchal Raj Nagar, District-Madhubani.

.... Petitioner

Versus

1. The State of Bihar through the Collector, Madhubani.
2. The Additional Collector, Madhubani.
3. The Incharge Deputy Collector (Legal), (Madhubani).
4. The Sub-Divisional Officer, Sadar, Madhubani.
5. The Circle Officer, Raj Nagar (Madhubani).
6. The Officer-in-Charge, Raj Nagar Police Station Raj Nagar, (Madhubani).
7. The Circle Inspector, Raj Nagar (Madhubani).
8. Rajendra Thakur son of Kamaldeo Thakur
9. Ram Kumari Devi W/o Late Rameshwar Purvey
Both resident of village-Chichari Buzurg Tole Ganj, P.S. an Anchal- Raj Nagar,
District-Madhubani.

.... Respondents

Appearance :

For the Petitioner : Mr. Ratanakar Jha, Advocate
For the Respondent Nos.1 to 7 : Mr. Mayank Rukhaiyal, A.C to G.A. No.1
For respondent No.8 : Mr. Baidyanath Thakur, Advocate
Mr. Shankar Kumar Thakur, Advocate
For respondent No.9 : Mr. Arvind Kumar Sinha, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 30-01-2016

Heard Mr. Ratanakar Jha, learned Counsel, appearing
on behalf of the petitioner, and Mr. Mayank Rukhaiyal, learned
Assistant Counsel to Government Advocate No.1, appearing on
behalf of respondent Nos.1 to 7. Also heard Mr. Baidyanath Thakur,
learned Counsel, appearing on behalf of respondent No.8, and Mr.
Arvind Kumar Sinha, learned Counsel, appearing on behalf of

respondent No.9.

Because of the submission made, on behalf of the petitioner that the encroachment proceeding was initiated against the petitioner and the same resulted into an order directing the petitioner to vacate the land, in question, and as against the order so made in the encroachment proceeding, statutory appeal has been filed, we are of the view that this proceeding may be closed.

No objection has been raised on behalf of the respondents to the prayer made on behalf of the petitioner.

In view of the above and in the interest of justice, this writ petition is closed with a direction that the appeal, which has been preferred against the order passed in the encroachment proceeding, shall be expeditiously disposed of in accordance with law, preferably, within a period of three months from the date of receipt/production of a copy of this order before the Collector of Madhubani district.

(I. A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

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