

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15266 of 2015

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Malik Haider @ Malih Haider

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma

For the Respondent/s : Mr. Shama Sinha, AC to AAG -9

For the Intervenor : Mr. Abdul M. Khan, Advocate

Mr. Irshad Ahmad Khan, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 19-09-2016

Heard learned Counsel for the parties concerned.

Considering the fact that the land, which the private respondent is alleged to have encroached upon, has already been recorded in the revenue records as the land of the private respondent and *jamabandi No. 289* has been issued in his favour and the State-respondents have already filed a case for cancellation of the said *jamabandi* bearing Jamabandi Correction Case No. 01/2012-13, this Public Interest Litigation, made under Article 226 of Constitution of India, cannot be continued and is, therefore, closed with liberty granted to the petitioner to approach this Court with appropriate application, in future, if so advised, and/or take recourse to such provisions of law as may be permissible

It is directed that the Circle Officer, Raghunathpur, district Siwan, shall proceed with the said Jamabandi Cancellation Case aforementioned expeditiously and do the needful in accordance with law. The whole exercise, so directed, shall be completed within a period of three months from today.

Let a copy of this order be furnished to the learned Government Counsel for being communicated to the Circle Officer, Raghunathpur, District-Siwan.

Send also a copy of this order, by FAX, to the District Magistrate, Siwan, forthwith.

(I.A. Ansari, CJ)

(Anjana Mishra, J)

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