

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.23879 of 2013**

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1. Upendra Tiwari Son of Late Badri Tiwari Resident of Village- Arki, P.S.-  
Deo, District- Aurangabad (Bihar)

.... .... Petitioner/s

Versus

1. The State of Bihar Through The Secretary Department of Revenue  
Government of Bihar, Patna  
2. The District Magistrate District Aurangabad  
3. The Officer Incharge, District Public Grievance Cell District-  
Aurangabad  
4. The Sub-Divisional Magistrate Aurangabad, District- Aurangabad  
5. The Circle Officer, Block Deo, Aurangabad, District- Aurangabad  
6. The Superintendent Of Police Aurangabad  
7. The Sub-Divisional Police Officer, Aurangabad  
8. The Officer Incharge, Deo Police Station, Aurangabad  
9. Md. Akram Son Of Md. Sadik Miyan Village- Arki, P.O Arki , P.S.-  
Deo, District- Aurangabad

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Purushotam Sharma

For the Respondent/s : Mr. Manikant Mishra

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

**ORAL ORDER**

2      22-06-2017                      Learned counsel for the petitioner seeks permission  
  
to withdraw this application in view of the specific averments  
  
made in paragraph 14 of the counter affidavit filed on behalf of the  
  
respondent nos. 2 and 5 to the effect that encroachment has been  
  
removed from the land in question. Paragraph 14 of the counter  
  
affidavit reads as follows:

“That it is further humbly submitted that now the  
encroachment in question has been removed by  
respondent no.9 and a written report has already  
been submitted by the petitioner and respondent



no.9 on 5.3.2014 before the respondent no. 5 stating therein that the encroachment proceeding may be dropped as in encroachments in question has already been removed and, thereafter, the deponent has made an spot inspection along with Halka Karamchari and has found the encroachment removed which has further been confirmed by the local Sarpanch and the concerned ward member.”

This application is, accordingly, dismissed as withdrawn.

**(Dinesh Kumar Singh, J)**

Anil/-

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