

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17230 of 2013

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Anil Kumar S/O Late Ram Bashisth Sharma Resident Of Village- Dadwa,
P.S- Mohania, District- Kaimur At Bhabhua.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate Kaimur (Bhabhua)
3. The Sub Divisional Officer, Mohania.
4. The Anchaladhikari Mohania, District- Kaimur.
5. Masiullah Ali, S/O Late Niyaj Ansari, Resident of Village- Dadawa, P.S-
Mohia, District- Kaimur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate

For the Respondent/s : Mr. Rajeev Ranjan, AC to GP-20

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

05/ 14-09-2017

Heard Mr. Arabind Nath Pandey, learned

counsel for the petitioner and Mr. Rajeev Ranjan, learned AC to

GP-20 for the State respondents.

The present Writ application has been filed
for a direction to the respondents authority to get the
encroachment removed from the public land appertaining to Khata
No. 328, Plot No. 1142, measuring an area of 44 decimals,
situated in Mauza – Dadawa, P.S. – Mohania, District – Kaimur,
which is recorded in Cadestral survey as ,Gairmajarua Aam Sarv
Sadharan’ and in revisional survey as ‘Bihar Sarkar Lok Nirman
Bibhag’ and the same is public road and encroached by respondent



no. 5, Masiullah Ali.

Learned counsel for the petitioner very fairly prays for disposal of the Writ application in view of the averment made in paragraph 19 of the counter affidavit filed on behalf of respondent no. 4 to the effect that encroachment has been removed. Paragraph 19 of the counter affidavit reads as follows:-

“That on 08.07.2017 encroachment was fully removed from the encroached land in presence of the writ petitioner, SHO Mohania Police Station, C.O. Mohania, Halka Karamchari Anchal Amin and others villagers. A papers to this effect was prepared signed by all above dated 08.07.2017.

Accordingly, this Writ application is disposed of.

(Dinesh Kumar Singh, J)

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