

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12618 of 2017

=====

Dhaneshwar Yadav, S/o Late Brahamdeo Yadav, Resident of Village - Sonsa,
P.S. - Nimchak Bathani, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Magadh Division, Gaya,
District - Gaya.
2. The District Magistrate, Gaya, District - Gaya.
3. The Circle Officer, Nimchak Bathani, District - Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Adv.
For the Respondent/s : Mr. Perna Anand-GP18

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-11-2017 Heard Mr. Ravindra Kumar Sinha, learned Counsel
appearing on behalf of the petitioner and Ms. Perna Anand,
learned AC to GP-18, appearing on behalf of the respondent-
State.

The present Writ application has been filed for quashing of
the order dated 24.03.2017, passed by respondent no.3, the
Circle Officer, Nimchak Bathani, as contained in Annexure-1, in
Encroachment Case No. 08 of 2016-17, whereby, the petitioner
has been directed to remove the encroachment from the land
appertaining to Khata No. 288, Plot No.600, C.S. Khata No.
230, Plot No.264 situated in Mauza-Sonsa Tola, Dharmuchak
(Nimchak Bathani), District-Gaya.

Since a statement has been made in paragraph no.-14 of the



petition that Encroachment Appeal No. 05 of 2017, is pending before respondent no.2, the District Magistrate, Gaya, against the impugned order dated 24.03.2017, passed in Encroachment Case No. 08/2016-17, this Court is not inclined to interfere.

However, it is expected from respondent no.2, the District Magistrate, Gaya, to dispose of the Appeal of the petitioner, within a period of eight weeks, after giving due opportunity of hearing to all the affected persons.

Learned Counsel for the petitioner is permitted to file an application, seeking stay of the order before the Appellate Authority, who will decide the same in accordance with the provisions of law.

Accordingly, the Writ application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

U			
---	--	--	--

