

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10003 of 2014

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Parasnath Sah, son of Late Ram Deni Sah, resident of village - Marwan,
P.S. Hussainganj District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reform, Patna.
2. The District Magistrate, Siwan.
3. The Circle Officer, Anchal - Husainganj, Siwan.
4. Shivpujan Dubey, son of Bhagwat Dubey, resident of village - Marwan, P.S. - Hussainganj, District - Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Sheela Pandey

For the Respondent/s : Mr. Aag4- Jawahar Pd. Karna

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-07-2017 Heard learned counsel for the petitioner and learned
AC to AAG-14 appearing on behalf of the State.

The present writ application has been filed on behalf of the petitioner for a direction to the respondent authorities to get the encroachment removed from the land appertaining to survey plot no.1829, 1541 and 1811 which is being used as a public road which connects the village to the main road. The said encroachment has been made by the respondent no.4.

Learned counsel for the petitioner submits that a proceeding under Section 147 Cr.P.C. was initiated vide Misc. Case No.599 of 1994 with regard to the encroachment made on



survey plot no.1811, wherein it was found that the same has been encroached upon and, hence, the Executive Magistrate, Siwan, vide order dated 22.09.1995, directed the local police to get the encroachment removed. The petitioner submitted his representation before District Magistrate, Siwan, respondent no.2 dated 02.05.2014, as contained in Annexure-2, for compliance of the order dated 22.09.1995 passed in Misc. Case No.599 of 1994, but no action has been taken as yet.

Learned counsel for the petitioner prays for withdrawal of the writ application to file an appropriate application before the S.P., Siwan as well as the Circle Officer, Hussainganj to get the order dated 22.09.1995 passed in Misc. Case No.599 of 1994 implemented.

This writ application is permitted to be withdrawn with the aforementioned liberty.

Arvind/-

(Dinesh Kumar Singh, J)

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