

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18540 of 2013

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1. Ram Kishun Mahto @ Ram Krishna Prasad, Son of Late Nukku Mahto,
Resident of Village - Chandra Bigha, P.O. - Mandi, P.S. - Ben, District -
Nalanda

2. Rama Devi, Wife of Late Ram Prasad, Resident of Village - Chandra
Bigha, P.O. - Mandi, P.S. - Ben, District - Nalanda

.... Petitioners

Versus

1. The State of Bihar , Through The District Magistrate-Cum-Collector,
Nalanda

2. The Sub-Divisional Officer (S.D.O.), Biharsharif, Nalanda

3. The Block Development Officer (B.D.O.) Ben, District - Nalanda

4. The Circle Officer (C.O.) Ben, Dist. - Nalanda

.... Respondents

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Appearance :

For the Petitioners : Mr. Ajoy Kumar Chakraborty, Adv.

For the Respondents : Mr. Ramadhar Singh, G.P.-25.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-06-2017 Heard learned counsel for the petitioners and learned
G.P.-25 for the respondents.

The present writ application has been filed for
quashing the order dated 03.08.2011, as contained in Annexure-2,
passed by respondent no.4, the Circle Officer, Ben, in
Encroachment Case No. 02 of 2006-07, whereby the petitioners
and others were directed to remove the encroachment otherwise
the same shall be removed by the authorities forcefully.

In view of the stand of the learned counsel for the
respondent-State that the petitioner has preferred appeal being
Land Encroachment Appeal No. 05 of 2013 against the impugned



order dated 03.08.2011, before the District Magistrate, Nalanda, learned counsel for the petitioners confines his prayer to the extent that the present writ application be disposed of with direction to the District Magistrate, Nalanda for disposal of the aforesaid land encroachment appeal.

Learned G.P.-25 submits that he has no objection to the said prayer.

In the circumstances, the present writ application is disposed of with a direction to the District Magistrate to dispose of the Land Encroachment Appeal No. 05 of 2013, if it has already not been disposed of, within a period of eight weeks from the date of receipt/production of the copy of this order.

(Dinesh Kumar Singh, J)

Amrendra/-

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