

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.1004 of 2017**

**In**

**Civil Writ Jurisdiction Case No.8353 of 2016**

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1. Viswa Nath Sharma, aged about 55 years, Son of Late Tribhuwan Sharma
  2. Satish Kumar Son of Sri Balmiki Singh
  3. Brajesh Sharma Son of Naresh Sharma
  4. Binkatesh Kumar son of Late Shyam Narayan Sharma
  5. Pramod Kumar son of Sri Ganpat Singh
- All are residents of Village - Jalpura, Police Station - Haspura, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
  2. Sri Kamal Tarun, son of not known to the petitioner The District Magistrate, Aurangabad.
  3. Sri Rakesh Kumar son of not known to the petitioner the Sub-Divisional Officer, Daudnagar, Aurangabad.
  4. Sri Rakesh Kumar son of not known to the petitioner the Circle Officer, Haspura, Aurangabad.
  5. Sri Ram Niwas Sharma son of Late Lal Narayan Sharma
  6. Sudhanshu Shekhar Sharma son of late Lal Narayan Sharma
  7. Baban Singh son of Late Devdhari Singh
  8. Sudarshan Sharma son of Late Brahmdeo Sharma
- All are residents of Village - Jalpura, Police Station - Haspura, District - Aurangabad.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate  
For the State : Ms. Nutan Sahay, A.C. to A.A.G. 12

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**

**ORAL JUDGMENT**

**Date : 02-05-2018**

In view of the stand taken by the District Magistrate in the show cause affidavit filed on behalf of the opposite party nos.2 & 4 stating that he revisited the place and got the plot remeasured which showed that there was no encroachment, however, debris was still lying on the plot which has also been removed, in my



view, this proceeding cannot continue and, accordingly, the same is dropped.

However, the petitioners if so advised, would be at liberty to take steps which would be available to them in law.

**(Dr. Ravi Ranjan, J)**

Sanjay/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 21.05.2018 |
| Transmission Date | NA         |

