

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4833 of 2018

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1. Shyam Chandra Sahu, Son of Late Sita Ram Sahu.
 2. Smt. Arti Devi, Daughter of Late Sonelal Sahu, Wife of Sri Shyam Chandra Sahu.
- Both are Resident of Village- Benipur, P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue & Land Reforms, Govt. of Bihar, Patna.
2. The Collector, Darbhanga.
3. The Addl. Collector, Darbhanga.
4. The Sub Divisional Officer, Benipur, Darbhanga.
5. The Circle Officer, Benipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Karn, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha, SC-19

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-07-2018 Heard Mr. Sunil Kumar Karn, learned counsel for the petitioners and Mr. Birendra Pratap Singh, learned AC to SC 19 for the respondent-State.

The present writ application has been filed for quashing the notice dated 22.02.2018, issued under the signature of Respondent No. 5, the Circle Officer, Benipur, in Encroachment Case No. 34 of 2017-18, whereby the petitioners have been directed to submit their defence with regard to encroachment made over the land, appertaining to plot Nos. 969, 970 and 971, situated at Mauza Biraul, District Darbhanga.

Learned counsel for the petitioners submits that since



the final order has been passed in Encroachment Case No. 34 of 2017-18, against which the petitioner has preferred appeal, hence the present writ application has become infructuous. Hence, learned counsel for the petitioners prays for withdrawal of the present writ application with a liberty to challenge the appellate order in appropriate proceeding.

Permission is accorded.

Accordingly, the present writ application is disposed of as has infructuous with the liberty to the petitioners to seek further remedy at appropriate forum, as prayed for by learned counsel for the petitioners.

(Dinesh Kumar Singh, J)

Amrendra/-

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