

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3050 of 2019

1. Hari Shankar Bhagat, son of Asharfi Bhagat
 2. Jai Narayan Rai, S/o Khelawan Ray
 3. Rama Nand Ray
- All are residents of village - Dharampur Ishahaque, P.S. - Baruraj, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through The District Magistrate cum Collector, Muzaffarpur
2. The Sub-divisional Officer West, Muzaffarpur
3. The Circle Officer Block-Motipur, Distt.-Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore Ms. Rupa Kumar
For the Respondent/s	:	Mr. Sajid Salim Khan, SC-25

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-02-2019 Heard learned Counsel for the parties concerned.

The petitioners are aggrieved by initiation of Encroachment Proceeding Case No. 02 of 2018-19. The petitioners' plea is based on an order, dated 17.10.1980, passed, in Consolidation Case Nos. 182, 184 and 185 of 1978, by Assistant Chakbandi Officer, Motipur, whereby the land pertaining to Khata No. 217, Kesra No. 1510, area 0.9 decimal is said to have been allotted to these petitioners.

At this juncture, I do not intend to comment upon the merits of the petitioners' case. They have the liberty to state all these facts before the Circle Officer, Muzaffarpur, before whom



the encroachment matter is pending.

Learned Counsel appearing on behalf of the State of Bihar has submitted that there cannot be any question of not considering the petitioners' case by the Circle Officer, Muzaffarpur, who is hearing the encroachment matter, if the petitioners submit their explanation and rely on the documents which they are relying on the present case.

Considering the facts and circumstances, this application is disposed of with the liberty to the petitioners, as indicated above.

(Chakradhari Sharan Singh, J.)

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