

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2270 of 2017**

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Chandrabanshi Singh, Son of Late Shital Singh, Proprietor- M/s Shiva Bricks,  
resident of Mauja-Digha, P.S. Digha, P.O. Digha Ghat, Town and District-  
Patna.

... .. Petitioner

Versus

1. The Principal Secretary, Department of Road Construction, Government of Bihar, Patna.
2. The District Magistrate- cum-Collector, Patna.
3. The S.D.O. Patna Sadar, Patna.
4. The D.C.L.R., Patna Sadar, Patna.
5. The Circle Officer, Patna.

... .. Respondents

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**Appearance :**

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| For the Petitioner                                                     | : | Mr. Sanjeev Ranjan, Advocate.                                                   |
| For the State                                                          | : | Mr. Manoj Kr.Ambastha, A.C. to S.C. 26.                                         |
| For the Intervenor Bihar<br>State Road Development<br>Corporation Ltd. | : | Mr. Lalit Kishore, Advocate General and Mr.<br>Manish Dhari Singh, A.C. to A.G. |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

13    16-01-2019

Re.: I.A. No. 4093 of 2017:

The aforesaid Interlocutory Application has been filed  
on behalf of the Intervenor-petitioner to add him as a  
respondent.

In light of paragraph no. 4 of the supplementary  
counter affidavit filed on behalf of respondent no. 1, no order is  
required to be passed in the aforesaid Interlocutory Application.

Accordingly, I.A. No. 4093 of 2017 stands disposed  
of.

Re. C.W.J.C. No. 2270 of 2017:



Heard learned counsel for the petitioner and learned counsel for the respondents.

The following relief has been sought for by the petitioner in the present writ application.

“That this is an application on behalf of petitioner for setting aside the order dated 24.1.2017 passed in Land Encroachment Case No. 7 of 15-16 passed by Circle Officer, Patna Sadar, Patna whereby and whereunder order has been issued to remove encroachment measuring 98 decimals from the disputed land pursuant to order dated 09.11.2016 passed in C.W.J.C. No. 948 of 2016.”

A supplementary counter affidavit has been filed on behalf of respondent no. 1. Let it be kept on the record. The following is the statement made in paragraph no. 4 of the said supplementary counter affidavit filed on behalf of respondent no. 1.

“4. That the Respondent undertakes that if the Title of the petitioner Chandrabanshi Singh over the land in dispute is declared by the Competent Court of Law in favour of petitioner then the Respondent/State shall pay the compensation for the said land in accordance with law. The Respondent further undertakes that the State will co-operate in earlier disposal of Title Suit No. 123/2017 (Chandrabanshi Singh V/s State of Bihar & Others), so that the said suit may be disposed of expeditiously.”

Considering the statement made in paragraph no. 4 of



supplementary counter affidavit filed on behalf of respondent no. 1, learned counsel for the petitioner does not want to press the present writ application. In light of the stand taken by the State-Respondent, the petitioner undertakes to vacate the land in question within a period of ten days from today. It is expected that both the parties shall co-operate in disposal of Title Suit No. 123 of 2017 and the learned court below is directed to dispose of the said Title Suit No. 123 of 2017 at the earliest preferably within a period of one year from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

**Sudhir Singh, J)**

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