

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1603 of 2018

In
Civil Writ Jurisdiction Case No.4753 of 2016

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Lakhan Paswan, S/o Late Saltan Paswan, Resident of village- Bharwari, P.S.- Hayaghat, Distt- Darbhanga.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The principal Secretary, Home Deptt., Govt. of Bihar, Patna.
3. The District Magistrate, Darbhanga
4. The Superintendent of Police, Darbhanga,
5. The Sub Divisional Officer, Darbhanga Sadar, Darbhanga.
6. The Circle Officer, Baheri, Distt.- Darbhanga.
7. The Office Incharge, Hayaghat, P.S.- Distt.- Darbhanga.
8. Shiv Shankar Singh, S/o Late Rajju Singh, Resident of village- Bharwari, P.S.- Hayaghat, Distt.- Darbhanga.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Suman Kumar Singh, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 09-12-2019 The present appeal is directed against the

judgment/order dated 05.01.2018 passed by learned Single

Judge in C.W.J.C. No. 4753 of 2016 (Shiv Shankar Singh Vs.

The State of Bihar & others) whereby the appeal has been

disposed of with a direction to the District Magistrate to look

into the entire matter.

The relevant portion of the impugned judgment reads



as follows:

“In the circumstances, the District Magistrate is directed to look into the entire matter and to ensure that respondent no.6, the Circle Officer, Baheri takes the proceeding of Encroachment Case No. 04 of 2014-15 to its logical conclusion after giving due notice to all affected persons in accordance with the provisions of the Act within a period of two months from the date of receipt/production of a copy of this order.”

Learned counsel for the writ petitioner-appellant could not point out any infirmity therein. In fact, the encroachment proceedings had concluded way back in the year 2015 and it is the respondent no. 8 herein, who assailed the said order.

Be that it may be, the learned Single Judge has already granted liberty to the parties.

The appeal is dismissed.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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