

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8864 of 2020

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Mithlesh Kumar Singh @ Mithilesh Kumar Singh Son of Late Ram Janam Singh Resident of Village- Kumhau, P.S.- Sheo Sagar, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Rohtas at Sasaram.
2. The Circle Officer, Sheo Sagar Anchal, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhanendra Chaubey, Advocate
For the State	:	Mr. Mukul Prasad. Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 15-04-2021

Heard learned counsel for the petitioner and learned counsel for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The present writ petition has been filed for *“issuing appropriate writ, order or directions to the respondents to keep the Encroachment Case No. 03 of 2019-20 pending till the hearing of Title Suit No. 286 of 2020 and injunction petition filed therein under Order XXXIX, Rule 1 and 2 of the Code of Civil Procedure and*



further to pass an appropriate order for restraining the respondents not to demolish the house of the petitioner till the adjudication of Title Suit No. 286 of 2020; and for any other relief(s) be granted for which he is found entitled to."

3. Without going into the detailed merits of the submissions of the petitioner, this Court takes note that the petitioner does not appear to have responded to the impugned notices for demolition as contained in Annexure-1 and Annexure-2 series issued by the Circle Officer, Sheo Sagar Anchal, District Rohtas (Respondent No. 2).

4. Learned counsel for the State appears and has been heard.

5. Having regard to the nature of the grievance of the petitioner, the writ petition is disposed of granting liberty to the petitioner to approach the Circle Officer, Sheo Sagar Anchal, District Rohtas (Respondent No. 2) with an appropriate petition for redressal of his grievances. If any such petition is filed within a period of one week from today, the same shall be considered and disposed of in accordance with law after grant of an opportunity of hearing to the petitioner, within a further period of eight weeks thereafter. To enable disposal, the petitioner shall furnish his mobile number and email ID to the respondent no. 2 within a week from today.

6. It is made clear that in view of the ongoing Covid-19



pandemic, any correspondence between the parties may be made through email and the petitioner shall be at liberty to request for hearing through video conference.

7. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	17.04.2021
Transmission Date	-

