

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.304 of 2021

In
Miscellaneous Jurisdiction Case No.564 of 2021

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Sanjay Sah @ Sanjay Kumar S/o Sri Sitaram Saw Resident of Village-
Danyawan, Near Durga Sthan, P.O. and P.S.- Danyawan, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub-Divisional Officer, Patna City, Patna.
4. The Deputy Superintendent of Police, Fatuhan, Patna.
5. The Circle Officer, Daniyawan, Patna.
6. The Officer-in-Charge, P.S.- Daniyawan, Patna.
7. Upendra Chaudhary S/o Late Shyama Choudhary Resident of Village- Daniyawan, Near Durga Sthan, P.O. and P.S.- Daniyawan, District- Patna.
8. Shailendra Choudhary S/o Late Shyama Choudhary Resident of Village- Daniyawan, Near Durga Sthan, P.O. and P.S.- Daniyawan, District- Patna.
9. Bindra Choudhary S/o Late Shyama Choudhary Resident of Village- Daniyawan, Near Durga Sthan, P.O. and P.S.- Daniyawan, District- Patna.
10. Suresh Choudhary S/o Late Shyama Choudhary Resident of Village- Daniyawan, Near Durga Sthan, P.O. and P.S.- Daniyawan, District- Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Shahabuddin Azeem @ S. Azeem, Advocate Mr. Arvind Kumar, Advocate Mr. Akshay Lal Pandit, Advocate
For the Respondent/s	:	Mr. Bishambhar Nath, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 27-06-2022

Heard Mr. S. Azeem, learned Advocate for the
appellant and Mr. Bishambhar Nath for the State.



An encroachment proceeding was initiated against the appellant by the Circle Officer, Daniyawar, Patna, against which he had approached this Court vide C.W.J.C. No.1620 of 2020, when a learned Single Judge of this Court permitted him to withdraw the writ application, as it had become infructuous with the proceedings having begun.

An attempt was made by the appellant to have such order modified to the extent that a time limit be prescribed by this Court for the authorities to conclude the proceedings.

The learned Single Judge *vide* his order dated 18.03.2021 refused to modify the order and left the time for concluding such proceedings open-ended.

Mr. Azeem, learned Counsel for the appellant submits that without any direction from this Court, the proceedings would be kept unnecessarily pending for a long time.

Such an apprehension on the part of the appellant, though, may not be justified but considering the circumstances of this case, we direct the concerned authorities to conclude the proceedings within a reasonable period of time, preferably



within a period of four months from the date of receipt/
production of a copy of this order.

The appeal stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.06.2022
Transmission Date	

