

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8693 of 2018

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Raj Grihi Rai Son of late Satya Narayan Rai Resident of Village Hansapir,
P.O. and P.S. Masrakh , District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Saran.
3. The S.D.O. Marhaura, District-Saran.
4. The Circle Officer, Masrakh, District- Saran.
5. Ram Prit Rai Son of Bishundeo Rai Resident of Village- Hansapir, P.S. Mashrakh, Distt. Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Rai, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha, Standing Counsel-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 17-10-2022 Though the present writ petition has been filed seeking quashing of the order dated 24.09.2015, passed by the District Magistrate, Saran at Chapra in Encroachment Appeal No. 1 of 2014, however, the learned counsel for the respondent-State has submitted, by referring to the said order dated 24.09.2015, that the respondents are not proposing to take any action qua the plot appertaining to Mauja-Hansapir, P.S. Masrakh, Khata No. 96, Khesra No. 165, 166 and 167, which is the private raiyati land of the petitioner and instead they have sought to remove the encroachment made over the public land appertaining to Khesra No. 660.



In such view of the matter, the learned counsel for the petitioner submits that the respondent-State authorities be directed not to interfere with the right, title and possession of the petitioner over the plot of land appertaining to Mauja-Hansapir, P.S. Masrakh, Khata No. 96, Khesra No. 165, 166 and 167.

Having regard to the facts and circumstances of the case, it is directed that the respondent-State authorities shall not interfere with the peaceful right, title and possession of the petitioner over Mauja-Hansapir, P.S. Masrakh, Khata No. 96, Khesra No. 165, 166 and 167, however, it is made clear that as far as Khesra No. 660 is concerned, the respondent-State authorities shall be free to take action as it deems fit and proper to remove any encroachment prevailing over the same.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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