

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6393 of 2018

Most. Phuljhariya Devi Widow of late Darbeshwar Chaudhary Resident of Village Simra @ Chak Shrikanth , Tole- Hirai Harpur, P.S. Piar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Muzaffarpur.
3. The Sub Divisional Officer, Muzaffarpur East.
4. The Circle officer, Bandra, P.S. Piar, District- Muzaffarpur.
5. The Mukhiya, Gram Panchayat Raj, Simra @ Chak Shrikanth.
6. Rupesh Kumar Son of Ram Sakal Mehta Resident of Village Simra@ Chak Shrikanth, Tola Hirai Harpur, P.S. Piar, District Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh, Advocate
For the Respondent/s : Mr.Raj Kishore Roy, GP-18

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-08-2022 Though the present writ petition has been filed for directing the respondents not to construct any public road over the raiyati land of the petitioner situated in village-Simra @ Chak Shrikanth, Tole-Hirai Harpur, P.S. Piar, District- Muzaffarpur appertaining to Khesra No. 2595 comprising of 0.04 ½ acre of old Khesra No. 4143, 0.0 ¼ acre of old Khesra No. 4144 and 0.23 acre of old Khesra No. 4147 but the learned counsel for the respondent-State by referring to paragraph no. 6 of the counter affidavit filed in the present case has submitted that presently there is no proposal to issue no objection



certificate to construct new road over the land of the petitioner in question, more so since a title suit has been filed by the petitioner bearing Title Suit No. 1214 of 2014, before the learned court of Sub-Judge-I, Muzaffarpur for declaration of his right, title, interest and possession over the land in question, which is *sub judice*.

In such view of the matter, the learned counsel for the petitioner submits that nothing survives for consideration in the present writ petition, hence the petitioner does not wish to press the present writ petition.

Accordingly, the present writ petition stands disposed off as not pressed, however, taking note of the statement made by the respondents in their counter affidavit, as aforesaid.

(Mohit Kumar Shah, J)

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