

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8525 of 2017

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Surendra Kumar Mahto @ Surendra Prasad Mahto Son of Nageshwar Mahto,
Resident of Village- Kishnichak, P.S.- Ishipur Pirpainti, District- Bhagalpur.
... .. Petitioner/s

Versus

1. The State of Bihar
 2. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
 3. The District Magistrate cum Collector, Bhagalpur.
 4. The Sub- Divisional Officer, Kahalgaon, Bhagalpur.
 5. The Circle Officer, Pirpainti.
 6. Sadhu Mahto, Son of Late Gouri Shankar Mahto.
 7. Nandlal Mahto, Son of Late Shivrath Mahto, Both are Resident of Village-
Kishnichak, P.S.- Ishipur Pirpainti, District- Bhagalpur.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh, GA-2
Mr. Vijay Kumar Verma, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2023 The present writ petition has been filed
seeking the following relief:-

*“1. That this writ petition is being filed for
issuance of appropriate writ/writs,
order/orders, direction/directions in the
nature of Mandamus commanding the
respondent no. 6 for compliance of the
order dated 18.11.2016 passed by the
Collector, Bhagalpur in Misc. No. 63/2015-
16, by which the Collector, Bhagalpur has
directed the respondent no. 6 to pass an
order in accordance with law after
initiating encroachment case and after*



hearing the parties concerned within month."

At the outset, the learned counsel appearing for the respondent-State has pointed out that the encroachers have filed a title suit bearing Title Suit No. 104 of 2018, before the learned Court of Sub-Judge, Kahalgaon and the learned court below vide order dated 19.12.2018 has directed for maintaining status quo, hence no further proceedings are being undertaken to remove the encroachment in question.

In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to agitate his grievances before the learned court below, in accordance with law.

Liberty so sought is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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