

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4572 of 2023

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1. Baban Ram Son of Shivnandan Rajwanshi. Resident of Vilalge-Jamuni, P.S.-Obra, District-Aurangabad.
 2. Sahendra Kumar Son of Shiv Vachan Ray Resident of Vilalge-Jamuni, P.S.-Obra, District-Aurangabad.
 3. Satan Kumar Son of Ram Pravesh Yadav Resident of Vilalge-Jamuni, P.S.-Obra, District-Aurangabad.
 4. Sri Niwas Kumar Son of Ram Naresh Singh Resident of Vilalge-Jamuni, P.S.-Obra, District-Aurangabad.
 5. Biredra Ram Son of Ramashray Ram Resident of Vilalge-Jamuni, P.S.-Obra, District-Aurangabad.
 6. Raju Rajwanshi Son of Amar Rajwanshi. Resident of Vilalge-Jamuni, P.S.-Obra, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Aurangabad, District-Aurangabad.
3. The Sub-Divisional Magistrate, Daud Nagar, District-Aurangabad.
4. The Circle Officer, Obara, District-Aurangabad.
5. Dhananjay Singh Son fo Ram Swaroop Singh Yadav Resident of Village-Jamuni, P.S.-Obra, District-Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Santosh Chandra Bhaskar, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-10-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of writ in the nature of 'Certiorari' quashing the general notice vide memo No. NIL dated NIL (Annexure-4) issued under the signature of the Circle Officer, Obra in Encroachment Case No.03/2021-22 and



consequential quashing the entire proceeding of Encroachment Case No.03/2021-22 pending before the Circle Officer, Obra, the said proceeding initiated over the land bearing Khata No.16, Khesara No.62 Rakawa-2.63 Acres, situated at Mauza- amuni, Anchal- Obra, District- Aurangabad and without given the proper opportunity of hearing to the parties directed the petitioners to present at the said plot for measurement on 12.05.2022 regarding process of encroachment proceeding.

(ii) For restraining the Circle Officer, Obra to not proceed with removal proceeding regarding land question upon which the petitioners and others have resided since long time with construction of government houses under "Indira Awas Yojana" considering as landless and homeless people.

(iii) For issuance of a writ in the nature of "Mandamus" commanding and directing the respondents authority to give the proper opportunity of hearing to the petitioners during hearing the petitioners restraint the respondent No.4 to not pass encroachment proceeding and without such further order."

2. After some arguments, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Circle Officer, Obra, District-Aurangabad, for redressal of



their subsisting grievances, if any. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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