

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14774 of 2016

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Om Prakash Lal S/o Sri Jail Shankar Prasad, R/o Village- Bishunpur, Post-Jakhar, P.S.- Rosera, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The Sub-Divisional Officer, Rosera, Samastipur.
5. The Circle Officer, Shivajee Nagar, Samastipur.
6. The Officer-in- Charge, Rosera Police Station, Samastipur.
7. Raj Narayan Yadav.
8. Babu Saheb, Both sons of Ram Bilas Yadav, resident of Village- Dharmpur, P.S.- Rosera, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
For the Respondent/s : Mr.Md.Khurshid Alam-AAG 12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-04-2023 The present petition has been filed seeking the following relief :-

“(i) For issuance of appropriate writ/ writs, order/ orders in the nature of mandamus directing the respondent authorities to pass final order in encroachment proceeding initiated on the application of the petitioner in the year 2014 and further to remove the encroachment from the public land bearing Khata no. 703, Khesra no. 3564 under Mauza Darmipur, Thana no. 109 in Shivajee



Nagar Block in District of Samastipur as pointed out by Circle Amin.”

At the outset, the learned counsel for the respondent- State has referred to the counter affidavit filed by the District Magistrate, Samastipur, today in the Court itself, which has been taken on record, to submit that the encroachment in question was removed at an earlier point of time but the same has again re-surfaced, however, no action can be taken right now, against the private respondents no. 7 and 8, inasmuch as *Basgit Parcha* has been issued in their favour.

In such view of the matter, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail such other alternative remedies, as are otherwise available under the law. Liberty so sought, is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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