

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3850 of 2023

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1. Pramod Kumar @ Pramod Kumar Singh Son of Sarju Singh, resident of village- Dharhara, Police Station - Darihat, District - Rohtas.
 2. Gaya Prasad Singh, Son of Late Ram Vilas Singh, resident of Ward No. 18, Dharhara, Police Station - Darihat, District - Rohtas.
 3. Ashok Kumar Singh, son of Sanamukh Singh, resident of Ward No. 17, Dharhara, Police Station - Darihat, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Sub Divisional Officer, Dehri-On-Sone, Sasaram, Rohtas.
4. The Circle Officer, Akhorigola, District - Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-04-2023 The present writ petition has been filed
seeking the following reliefs:-

“1.(i) Issuance of a writ in the nature of writ of certiorari quashing the notice dated 04.02.2023 issued by Circle Officer, Akhorhigola, Rohtas in Encroachment Case No. 06/2016-17 (contained in Annexure-1 herein) whereby and whereunder he has been directed the petitioners to remove the encroachment of part of the land of Mauja-Dharhara, Thana No. 128, Khata No.



225, Khesra No. 1198 area 1.40 acre which has been found as Anabad Sarva Sadharan land till 15.02.2023 otherwise the same will be forcefully removed and amount thereof will be recovered from the petitioners.

(ii) Issuance of a writ in the nature of writ of mandamus directing the respondent not to disturb the petitioners in any manner of peaceful possession over the aforesaid land in which petitioners Pucca house are situated till pendency/order of appeal which is going to be filed against the final order in Encroachment Case No. 06/2016-17.

(iii) Issuance of a writ in the nature of writ of mandamus directing the respondents to give an opportunity of hearing of petitioners in Encroachment Case No. 06/2016-17 and pass a fresh order after hearing the petitioners.”

At the outset, the learned counsel for the petitioners has referred to page-40 of the counter affidavit filed in the present case i.e. the order dated 18.08.2017/29.08.2017 passed by the Circle Officer, Akhorigola, District-Rohtas, in connection with Encroachment Case No. 6 of 2016-17 to



submit that since the encroachment has been removed, the proceeding has already been dropped, hence now the petitioners are not having any subsisting grievances.

At this juncture, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent authorities in case of any subsisting grievances. Liberty so sought is granted.

Accordingly, the present writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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