

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.709 of 2019

In
Civil Writ Jurisdiction Case No.10788 of 2017

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1. Surya Nath Ray, Son of Late Meghvaran Singh Resident of Mohalla-Aadarsh Nagar, Lane No.3, Majhauriya, Muzaffarpur P.S.- Sadar, District-Muzaffarpur
 2. Bharat Bhushan, Son of Sri Mani Bhushan Thakur, Resident of Mohalla-Aadarsh Nagar, Lane No.3, Majhauriya, Muzaffarpur P.S.- Sadar, District-Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Sohail, The District Magistrate-cum-Collector, Muzaffarpur
3. Dr Kundan Kumar, The Sub Divisional Officer, Muzaffarpur (East)
4. Shri Vinod Kumar Rai, The Executive Engineer, Rural Works Department, Works Division, Muzaffarpur East-1

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pandey Bipul Kumar, Advocate
For the Opposite Party/s : Mr. Ajay (GA-5)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

- 3 02-08-2023 The present M.J.C. is filed for non-compliance of the order dated 26.3.2018 passed in C.W.J.C. No. 10788 of 2017. Direction was to look into the grievance of the petitioner and ensure that encroachments are removed in accordance with law and thereafter the remaining portion of the road is required to be constructed. The disputed land which is stated to be in the name of Most. Girja Kunwar in R.S. Khatiyar, whose Jamabandi is in



the name of Shiv Kumar Singh, vide Jamabandi No. 57 and also Khata No. 349, Plot No. 7 (part) recorded in the name of Brahmdeo Ojha in R.S. Khatiyani, Jamabandi is running in the name of Brahmdeo Ojha and ors. which is situated in village Khabra, Aadarsh Nagar Lane No. 3, Revenue Thana No. 334, Anchal:- Mushari, Sub-Division:- Muzaffarpur East, District-Muzaffarpur.

2. In the light of revenue entries in the aforementioned names, the petitioner cannot contend that they are encroachers. Therefore, it is a disputed issue which can be agitated in the appropriate forum. Hence, there is compliance to the order dated 26.03.2018.

3. Accordingly, the present M.J.C. stands dropped.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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