

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23954 of 2013

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Mantun Yadav S/O Late Shembhu Yadav Resident Of Village- Godhpura, P.S-
Gadhpora, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar through Collector, Begusarai
2. Circle Officer, Gadhpora Circle Officer, District- Begusarai
3. Rakesh Chandra Jha S/O Umesh Chandra Jha Resident Of Village-
Gadhpora, P.S- Gadhpora, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Man Bansh, Advocate
For the Respondent/s : Mr.Md. N. Hoda Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 17-03-2023 The present writ petition has been filed seeking the
following relief :-

*“For issuance of appropriate writ/ writs,
direction/ directions and writ in the nature of
writ of prohibition the Circle Officer, Ballia
to interfere into the peaceful possession of
the petitioner over the land and also for
issuance of writ of mandamus commanding
the respondent no. 2 to adequately
compensate the petitioner for illegal
demolition of wall of the petitioner and to
remove the construction over the land of the
petitioner by Rakesh Kr. Jha at instance of
order of Circle Officer.”*

At the outset, the learned counsel for the respondent-



State has referred to the counter affidavit filed by the Circle Officer, Gadhpura Circle Office, Begusarai, wherein it has been stated that a measurement case bearing Measurement case no. 5/12-13 was initiated at the behest of the respondent no. 3, however, no portion of the wall of the petitioner has been demolished. It is also submitted that measurement was held by the *Amin* in presence of the petitioner and the respondent no. 3, whereafter the *Amin* has demarcated the land of the petitioner so that he does not obstruct the respondent no. 3 from constructing his house in his premises.

In view of the aforesaid, nothing survives for consideration in the present writ petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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