

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8488 of 2023

Jaishankar Singh Son of Late Nandlal Singh, resident of Village-Bheja (Nandanpur), P.S.-Bheja, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Madhubani.
2. The Collector, Madhubani.
3. The Sub Divisional Officer, Jhanjharpur, District-Madhubani.
4. The Circle Officer Madhepur, P.S.-Madhepur, District-Madhubani.
5. Umesh Prasad Singh, son of Late Sarva Narayan Singh, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
6. Uday Shankar Singh, son of Late Nandlal Singh, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
7. Rajendra Kamat, son of Late Ramji Kamat, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
8. Shivu Chaupal, son of Late Tilae Chaupal, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
9. Tripit Kamat, son of Late Garib Kamat, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
10. Homi Kamat @ Domi Kamat, son of Late Maksudan Kamat, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
11. Jadu Chaupal, son of Late Gulae Chaupal, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
12. Chandeshwar Chaupal, son of Late Gulae Chaupal, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.
13. Lakshmi Chaupal, son of Late Gulae Chaupal, resident of Village-Bheja (Nandanpur), P.O. and P.S.-Bheja, District-Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-11-2023

Heard the learned counsel for the parties.

2. This application has been filed for direction to
the respondent authorities to remove the encroachment done by



the private respondent over the land.

3. The only contention of the petitioner is that despite the order of the Circle Officer for removal of encroachment, the encroachment has not been removed.

4. Learned counsel for petitioner has no instruction as to whether any appeal has been filed against the original order for removal of encroachment or what is the status of the appeal.

5. In these circumstances, this writ application is pre-mature and the same is hereby dismissed with liberty to the petitioner to file a fresh writ application after giving all the facts in the writ petition including the non-filing/disposal of the appeal.

6. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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