

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10263 of 2023

1. Nawal Kishor Jha Son of Late Aditya Narayan Jha Resident of Village- Harpur Barheta, P.S.- Sarairanjan, District- Samastipur.
2. Shyam Kishor Jha, Son of Late Aditya Narayan Jha Resident of Village- Harpur Barheta, P.S.- Sarairanjan, District- Samastipur.
3. Raj Kishor Jha, Son of Late Nand Kishor Jha Resident of Village- Harpur Barheta, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Reforms Department, Government of Bihar, Patna.
2. The Collector, Samastipur.
3. The Deputy Collector, Land and Revenue Reforms, Samastipur.
4. The Circle Officer, Sarairanjan, District- Samastipur.
5. The Circle Inspector, Sarairanjan Circle, District- Samastipur.
6. The Revenue Karamchari, Harpur Barheta Gram Panchayat, Sarairanjan Block, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-11-2023 Heard the parties.

2. This application has been filed on behalf of the petitioners against the order dated 17.04.2023 passed by the Collector, Samastipur by which he has dismissed the appeal filed by the petitioners against the order dated 08.07.2022 passed by the Circle Officer.

3. The petitioners have lost in both the Court in an Encroachment proceeding.



4. It has been submitted by the learned counsel for the petitioners that the question of title has been decided in a summary proceeding which is not permissible in law.

5. He further submits that Title Suit has already been filed by the petitioners. They will also file an injunction application in the court below.

6. If such an application is filed in the court below, the same shall be considered by the court below within a month from the date of filing of the injunction application.

7. Till the consideration of the injunction order, the possession of the petitioners shall not be disturbed.

8. The interim order is subject to the condition that the injunction application must be filed within 15 days from today.

9. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

Vikas/-

U			
---	--	--	--

