

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10195 of 2023

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Vishambhar Thakur @ Vishwambhar Thakur S/o Draveshwar Thakur,
Resident of Village- Harpur Barheta, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land 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

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha
For the Respondent/s : Mr. Rishi Raj Sinha (Sc 19)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-11-2023 Heard the learned counsel for the parties.

2. This application has been filed for quashing the order dated 17.04.2023 passed by Collector, Samastipur in Encroachment Appeal No. 109/2022 and the order dated 08.07.2022 passed by the Circle Officer Sarairanjan, Samastipur.

3. The petitioner has lost in both the Court in an Encroachment proceeding.

4. It has been submitted by the learned counsel for the petitioner that the question of title has been decided in a



summery proceeding which is not permissible in law.

5. He further submits that Title Suit has already been filed by the petitioner. He 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 petitioner 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)

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