

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4001 of 2014

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1. Rabindra Nath Sharma
 2. Jibendra Nath Sharma
 3. Bhartendra Nath Sharma All Three Are Sons Of Jageshwar Datt Sharma
 4. Usha Devi Wife Of Kaushikendra Nath Sharma
 5. Nirmala Devi Wife Of Anil Kumar
 6. Sarwan Kumar Son Of Munshi Mahto All Resident Of Village- Mae, P.S./Anchal- Parbalpur, District- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue & Land Reforms Department, Bihar, Patna.
2. The Collector-Cum-District Magistrate, Nalanda
3. The Sub Divisional Magistrate, Hilsa, Distt.- Nalanda
4. The Circle Officer, Parbalpur, Distt.- Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sidhendra Narayan Singh, Adv. Mr. Kumar Lalit, Adv.
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 18-07-2023 The present writ petition has been filed seeking the following reliefs:-

“1(i). For quashing of Order dated 12.8.12, contained in Ann-7, passed in Encroachment Case no. 1 of 2012-13 including it's entire proceeding passed by the Circle Officer, Parbalpur (for short- C.O.) under the Bihar Public Land Encroachment Act, 1956 (for Short “the Act”), inter alia, against the petitioners directing for removal of alleged encroachment



from khata no. 117, 279 & 295 and respective Khesra No. 693, 692 & 655, situated in village- Mae, P.S./Anchal- Parbalpur, District- Nalanda allegedly being Gairmajarua Aam land ignoring the various judgments/decrees finalized upto this Hon'ble Court in favour of petitioners and/or their ancestors and also orders of encroachment proceeding, proceeding u/s 144, 145, 107 Cr.P.C. dropping the same, substantially relating to same khata land, between same parties including state and order of this Hon'ble Court also, contained in Ann.-1 to 6 &9.

(ii). For quashing of consequential memo no. 135 dated 5.2.14, contained in Ann-10, issued by the C.O.-respondent with copy to petitioners, seeking from SDM, Hilsa for deployment of police force for removal of said encroachment, detailed therein, en 4.3.14 ignoring and without passing any order on the review application of petitioner dated 25.6.13, contained in Ann-8.”

The learned counsel for the petitioners submits that he has got no instructions to prosecute the present writ petition, hence, the same be disposed off with liberty to the petitioners to agitate their subsisting grievances, if any, in accordance with law.

Accordingly, the present writ petition stands disposed



off as not pressed, however, with the aforesaid liberty.

(Mohit Kumar Shah, J)

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