

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4308 of 2014

- 1.1. Sadhana Sharma W/o of late Satyendra Nath Sharma
- 1.2. Amrita Kumari D/o of late Satyendra Nath Sharma
- 1.3. Madhavi Kumari D/o of late Satyendra Nath Sharma
- 1.4. Prashannjeet Gaurabh Son of late Satyendra Nath Sharma

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Patna Division, Patna
3. The Deputy Collector Land Reforms, Hilsa, Nalanda
4. The Circle Officer, Parwalpur, Nalanda
5. The Sub Divisional Officer, Hilsa, Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate
For the Respondent/s : Mr. Nadeem Seraj, GP-5

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 18-07-2023 1. The present writ petition has been filed
seeking the following relief:-

“1. That this is an application for issuance of a writ in the nature of Certiorari or any appropriate writ/s, order/s, and direction/s commanding the respondents for quashing the order vide memo no 135 dated 05.02.14 issued by the Circle Officer-Parwalpur, Nalanda against the petitioner whereby and whereunder the Sub Divisional Officer, Hilsa has been directed to



depute two Magistrate and male and female constables for vacating encroachment over the land of the petitioner and others pertaining to Khata No. 117, Khesra No 693 area 4.3/4 decimals and for other relief in the facts and circumstances of the case."

2. The respondent-State has taken a stand in the counter affidavit filed in the present case that an encroachment proceeding was started vide Encroachment Case No. 1 of 2012-13 by the Circle Officer, Parwalpur for removal of encroachment in question, whereafter the final order has also been passed for removal of encroachment on 12.08.2012, however, on account of law and order problem, encroachment in question could not be removed.

3. This Court finds that the counter affidavit was filed in the year 2014 and nobody is aware about the present position, hence this Court deems it fit and proper to dispose off the present writ petition with a direction to the District Magistrate,



Nalanda at Bihar Sharif to remove the encroachment in question, if not already removed, in pursuance to the final order dated 12.08.2012, passed by the Circle Officer, Parwalpur in Encroachment Case No. 1 of 2012-13, after hearing the affected parties and in accordance with law.

4. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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