

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10654 of 2023

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1. Maharudra Jha @ Maharud Jha Son of Radhe Krishna Jha, Resident of Village- Dwalakh, P.S.- Bheja, District- Madhubani.
 2. Devehandra Jha Son of Late Jay Krishna Jha, Resident of Village- Dwalakh, P.S.- Bheja, District- Madhubani.
 3. Baidyanth Jha Son of Late Mahakrishna Jha, Resident of Village- Dwalakh, P.S.- Bheja, District- Madhubani.
 4. Saroj Jha Son of Late Ram Balav Jha, Resident of Village- Dwalakh, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Madhubani, District- Madhubani.
2. The District Magistrate, Madhubani.
3. The Sub Divisional Officer, Jhanjharpur, District- Madhubani.
4. The Circle Officer, Madhepur, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Sc 25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-10-2023 1. The present writ petition has been filed seeking the following relief:-

“That this writ application is being filed for issuance of an appropriate writ/writs and order/orders in the nature of certiorari for quashing the notice dated 3.7.2023 in Encroachment Case No. 25/22-23 under the provision of Sub clause-2 of the Section 6 of the Bihar Public Land Encroachment Act 1956 under the signature of Circle Officer Madhepur



(Respondent no. 4) whereby the petitioners have been directed to comply the order till 17.7.2023 with regard to the land pertaining khesara no. 773 thana no. 292 situated at village - Dwalakh, P.S. Bheja, Circle- Madhepur District- Madhubani which has been wrongly declared public land and further for any other relief or reliefs for which which the petitioners are entitled in facts and circumstances of the present case.”

2. At the outset, the learned counsel for the respondent-State seeks to file a counter affidavit, which is taken on record, wherein it has been stated that encroachment proceedings in question have been suspended, inasmuch as the dispute in question can only be adjudicated upon by the competent civil court having appropriate jurisdiction, hence the learned counsel for the petitioners submits that the petitioners are not having any subsisting grievance at the moment.

3. In view of the aforesaid, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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