

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12831 of 2023

Sanjeev Kumar Son of Late Suryavansh Prasad, Resident of Village- Pakari, P.S. Riga District- Sitamarhi, At present Mouza- Bhau Prasad, Mohalla- Kailashpuri, W.No. 45, Sitamarhi Nagar Nigam, P.S. Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development, Government of Bihar, Patna.
2. The Municipal Commissioner, Nagar Nigam, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Jha, Advocate
For the State	:	Mr.Subhash Pd. Singh (GA-3)
		Mr. Shiv Kumar, AC to GA-3
For the Nagar Nigam	:	Mr. S.K. Thakur, Advocate
		Mr. Subodh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 06-11-2023 The present writ petition has been filed
seeking the following relief:-

“1. (i) For issuance of writ in the appropriate nature for quashing of the Notice No. 91 dated 02.08.2023 issued under Section 435 of the Bihar Municipal Act, 2007 under the signature of the Municipal Commissioner, Sitamarhi Municipal Corporation whereby the petitioner has been ordered to vacate the land in question within 3 days without issuing show cause or giving



opportunity to be heard on the point of encroachment.”

2. At the outset, the learned counsel for the petitioner submits that the petitioner has already filed a title suit bearing Title Suit No. 675 of 2023, which is pending adjudication before the learned Civil Court, Sitamarhi, hence he be granted liberty to prosecute the same. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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