

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13477 of 2023

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Haridwar Narayan @ Haridwar Narayan Shahi Son of Late Ram Chandra Prasad, Resident of Village and P.O. and P.S. Haspura, District Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The District Magistrate cum Collector, Aurangabad.
3. The Circle Officer, Circle Haspura, District Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-10-2023 The present writ petition has been filed
seeking the following relief:-

“1. That this petition is being filed for setting aside the order dated 22.7.2023 passed in Encroachment Appeal No. 82 of 2022 by the District Magistrate cum Collector, Aurangabad whereby and whereunder the order dated 25.4.2022 passed in Encroachment Case No. 4 of 2021-22 by the Circle Officer, Circle Haspura, Aurangabad whereby the direction has been given to remove encroachment.”



2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the Ld. Civil Court having competent jurisdiction, for redressal of the aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that for a period of four weeks from today, status quo existing as on today qua the land/house of the petitioner in question, shall be maintained in order to enable the petitioner to avail appropriate alternative remedy, as is available under the law including that of filing of a civil suit and for applying for grant of injunction in the matter.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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