

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20659 of 2019

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Brijnandan Prasad, Son of Late Janki Mahto, Resident of Village-
Mohseempur, Post Office- Panhesa, Police Station- Shekhopur Sarai, District-
Shekhpura, at present resident of Patel Nagar, Ward No.- 20, Warisaliganj,
Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Shekhpura.
4. The Additional Collector, Shekhpura.
5. The Sub Divisional Officer, Shekhpura.
6. The Circle Officer, Shekhpura.
7. Rajendra Paswan, Son of Late Gulan Paswan, Resident of Village-
Mohseempur, Post Office- Panhesa, Police Station- Shekhopur Sarai,
District- Shekhpura.
8. Sohan Mahto, Son of Late Ramkhelawan Mahto, Resident of Village-
Mohseempur, Post Office- Panhesa, Police Station- Shekhopur Sarai,
District- Shekhpura.
9. Indradeo Prasad, Son of Late Gokhul Mahto, Resident of Village-
Mohseempur, Post Office- Panhesa, Police Station- Shekhopur Sarai,
District- Shekhpura.
10. Rajendra Prasad, Son of Late Gokhul Mahto, Resident of Village-
Mohseempur, Post Office- Panhesa, Police Station- Shekhopur Sarai,
District- Shekhpura.
11. Kundan Prasad, Son of Late Horeel Prasad, Resident of Village-
Mohseempur, Post Office- Panhesa, Police Station- Shekhopur Sarai,
District- Shekhpura.
12. Alakhdeo Prasad, Son of Late Saryug Mahto, Resident of Village-
Mohseempur, Post Office- Panhesa, Police Station- Shekhopur Sarai,
District- Shekhpura.
13. Bajo Manjhi, Son of Late Garak Manjhi, Resident of Village- Mohseempur,
Post Office- Panhesa, Police Station- Shekhopur Sarai, District- Shekhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
For the Respondent/s	:	Mr. Md. Khurshid Alam AAG-12

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

(Per: HONOURABLE THE CHIEF JUSTICE)

5 25-08-2023 The learned counsel for the petitioner submits that after the public interest litigation was instituted the proceedings for eviction of the party respondents have been commenced.

2. In such circumstances, there is no requirement to keep the writ petition pending. The writ petition stands closed leaving the parties to agitate their cause before the forum which has initiated encroachment proceeding.

3. We make it clear that we have not said anything on the merits of the encroachment, the right to continue or the power to evict, which has to be considered by the appropriate forum.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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