

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.280 of 2023

In
Civil Writ Jurisdiction Case No.8022 of 2023

-
1. Rahul Kumar @ Rahul Kumar Saundik Son of Late Nawal Kishore Prased Saundik Resident of Village Raniganj, P.S.- Imamganj, District- Gaya.
 2. Ravi Kumar @ Ravi Kumar Saundik, Son of Late Nawal Kishore Prased Saundik Resident of Village Raniganj, P.S.- Imamganj, District- Gaya.
 3. Rajiv Kumar @ Rajiv Kumar Saundik, Son of Late Nawal Kishore Prased Saundik Resident of Village Raniganj, P.S.- Imamganj, District- Gaya.

... .. Petitioner/s

Versus

1. Santosh Kumar Son of Rambrichh Prasad Gupta Resident of Village Raniganj, P.S.- Imamganj, District- Gaya.
2. The State of Bihar, through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate, Gaya.
4. The Sub-Divisional Officer Sherghati, Gaya.
5. The Land Reforms Deputy Collector, Sherghati, Gaya.
6. The Anchal Adhikari Imamganj, Gaya.
7. The Officer Incharge of Imamganj Police Station, Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar
For the Opposite Party/s : Mr.Md. Khurshid Alam (Aag 12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 13-10-2023 Though on the last occasion i.e. 6.10.2023, the learned counsel for the writ petitioner, Sri Nand Kishore Prasad Sinha, had sought time to clarify, as to under what circumstances the writ petitioners had suppressed material facts and obtained an order dated 19.7.2023 from this Court regarding removal of the encroachment in question, however, today, he has failed to appear before this Court, probably since he has got



no answer to put forth, to the brazen act of the writ petitioner.

2. The learned counsel for the review petitioners has submitted that the learned Court of Additional District Judge-X, Civil Court, Gaya, by an order dated 25.11.2022, passed in Miscellaneous Appeal No. 2 of 2021, has already granted injunction over the suit land and has directed the defendant-Respondents of the aforesaid case not to interfere with the possession of the plaintiffs-appellants-review petitioners herein over the suit land.

3. The aforesaid fact is not denied by the learned counsel appearing for the Respondent-State.

4. In view of the aforesaid, the order dated 19.7.2023, passed by this Court in CWJC No. 8022 of 2023, is modified to the extent that the Circle Officer, Imamganj, District-Gaya, shall now take appropriate steps, as per the provisions of the Bihar Public Land Encroachment Act, 1956, subject to the final outcome of the aforesaid pending Title Suit No. 5 of 2020, filed by the review petitioners herein, which is pending adjudication before the learned Court of Sub-Judge I, Sherghati.

5. Accordingly, the review petition stands allowed.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

