

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1027 of 2023

1. Sudarshan Ray son of Late Gopi Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
2. Jayaram Ray, son of Sudarshan Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
3. Uma Shankar Prasad Yadav, son of Late Khakhan Prasad Yadav @ Khakhan Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
4. Manoj Kumar @ Manoj Ray, son of Late Chandrika Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
5. Chandrama Ray son of Late Palak Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
6. Sanjay Ray, son of Late Lakshman Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
7. Achhe Lal Kumar Rai, son of Late Kishundev Rai @ Kishun Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
8. Ramesh Thakur, son of Late Devan Thakur, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
9. Gautam Ray, son of Late Rupa Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
10. Pratap Kumar Yadav, son of Gautam Yadav @ Gautam Ray, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
11. Kalamuddin Ansari @ Kalamuddin Miyan, son of Jalil Miyan, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
12. Mohammad Sadique @ Sadique Ansari, son of Mokhatar Ansari, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
13. Wakil Ansari @ Wakil Miyan, son of Late Nikhand Miya @ Dilsar Miyan, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.
14. Madik Anari @ Madik Miyan, son of Late Naim Ansari @ Naim Miya, resident of Village-Sisai, P.o.-Dumarsan Bangara, P.S.-Mashrak, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary/Principal Secretary, Department of Revenue



and Land Reforms, Government of Bihar, Patna.

3. The Collector-cum-District Magistrate, Saran at Chapra.
4. The Additional Collector (Revenue), Saran at Chapra.
5. The Sub-Divisional Officer, Marhaurah, Saran.
6. The Deputy Collector, Land Reforms, Marhaurah, Saran.
7. The Circle Officer, Mashrak, District-Saran.
8. The Station House Officer, Mashrak Police Station, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate
For the State : Mr.Wasi Ahmad Khan, AC to SC-25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-03-2023 The learned counsel for the respondent-State seeks
to file a counter affidavit, which is taken on record.

Admittedly, no final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, has been passed in the connected Encroachment Case No.18 of 2019-20 and on the contrary, it is submitted that since *Jamabandi* is existing in the name of the petitioners, the aforesaid encroachment case would be proceeded with after *Jamabandi* is cancelled.

In view of the aforesaid, moreso, since the respondent authorities do not wish to take any further steps in the aforesaid Encroachment Case No.18 of 2019-20, pending before the Circle Officer, Mashrak, Saran, till *Jamabandi* is existing in the name of the petitioners, the learned counsel for the petitioners submits that in that case, the petitioners do not have any



subsisting grievances, at the moment.

Accordingly, the writ petition stands disposed off as not pressed, however, while taking note of the submissions made by the learned counsel for the respondent-State, as aforesaid.

(Mohit Kumar Shah, J)

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