

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.609 of 2024

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1. Sambhu Kumar Son of Late Ramanand Prasad, Resident of Mauza- Bala, Bigha Narauni, Police Station- Atari, District- Gaya.
 2. Ram Kumar, Son of Late Kamla Sharan Singh, Resident of Mauza- Bala, Bigha Narauni, Police Station- Atari, District- Gaya.
 3. Sambhu Ram @ Shambhu Kumar, Son of Late Funni Ram, Resident of Mauza- Bala, Bigha Narauni, Police Station- Atari, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Gaya.
2. District Magistrate, Gaya.
3. Executive Engineer, Road Construction Department, Near- Nazarath Academy, Police Station- Civil Lines, Town- Gaya, District- Gaya.
4. Circle Officer, Atari, Police Station- Atari, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeet Kumar, Advocate
For the Respondent/s	:	Mr. P. K. Shahi, AG
		Mr. Amish Kumar, AC to AG

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-01-2024 Heard the parties.

2. The petitioners have move the Court for the following reliefs:

“That the present writ application is being filed on behalf of the above named petitioners, in which petitioner No.1 is landlord and petitioner No. 3 is the tenant of petitioner No. 1 and 2 to whom notice has been issued from the office of Circle Officer, Atri, Gaya under the provisions of Bihar Public Land Encroachment Act 1956, in connection with Encroachment Case No. 9/2021-22 by which the petitioner No. 3 has been directed to remove the encroachment from the land of Public Works Department”



3. The injunction petition in Title Suit No. 772 of 2022 shall be disposed of by the Sub-ordinate Judge, IV, Gaya within two months from the date of communication of a copy of this order.

4. It has been submitted by learned counsel for the petitioners that the Sub-Judge, IV Court is vacant. The District Judge, Gaya is directed to transfer the aforesaid title suit in the Court of Sub-Judge where the Presiding Officer is available.

5. Till the decision in the injunction matter, the respondent authorities will not disturb the possession of the petitioners.

6. With the aforesaid observations and directions, this application stands disposed of.

7. Let a copy of this order be communicated to the District Magistrate, Gaya and the District Judge, Gaya for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

P. Kumar

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