

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1213 of 2024**

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1. Sachchidanand Thakur son of Sri Ramashish Thakur, R/o Village Bhrampur, P.S.-Dubaha Buzurg, District-Muzaffarpur, Bihar-843104.
  2. Jay Nandan Singh, Son of Raghunandan Singh, R/o Village Bhrampur, P.S.-Dubaha Buzurg, District-Muzaffarpur, Bihar-843104.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Collector cum District Magistrate, Muzaffarpur.
4. The Sub Divisional Officer, Muzaffarpur (East), P.S.-Sadar Muzaffarpur, Dist-Muzaffarpur.
5. The Circle Officer, Sakra, Muzaffarpur.
6. The Block Development Officer, Muzaffarpur.
7. The Circle Inspector Kanti Circle, Muzaffarpur.
8. Nand Kishore Singh, S/o Late Raghunandan Singh, R/o Village Dubaha Buzurg, Panchayat-Dubaha Buzurg, P.S. and Circle-Sakra, District-Muzaffarpur.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Anand Kumar Ojha       |
| For the Respondent/s | : | Mr. Ram Adhar Singh G P 25 |
|                      |   | Mr. Sunil Kr. Verma        |

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      05-04-2024                      Heard the learned counsel for the petitioner,  
  
learned counsel for the State and learned counsel for the  
  
Respondent no. 08.

2. This is an application for direction to the Circle  
  
Officer, Sakra to remove the encroachment from the public land  
  
illegally encroached by the private respondent.



3. Learned counsel for the petitioner submits that the road is encroached and therefore he has approached this court. He also submits that Title Suit No. 38 of 2023 has been filed by the respondent no. 08 in the court of Munsif, East, Muzaffarpur.

4. He also submits that an interim order in favour of respondent no. 08 has been passed by the Munsif on 03.08.2023 for restraining the authorities from proceeding with the demolition till filing of the show cause and written statement.

5. He also submits that the State is not filing the show cause and written statement in the title suit and therefore is helping the respondent no. 08.

6. Learned counsel for the State has submitted that the State will cooperate in the disposal of the Title Suit No. 38 of 2023 and in case the State does not cooperate, appropriate action shall be taken against the government pleader of Muzaffarpur by the State.

7. This application is disposed of with direction to the State of Bihar to file the show cause and written statement in the Title Suit No. 38 of 2023 within 30 days from the communication of this order failing which the Munsif will



proceed ex-parte against the State of Bihar.

8. The application filed by the petitioner under Order 1 Rule 10 of the C.P.C. shall be heard and decided by the Munsif within the next 30 days.

9. This application stands disposed of with the aforesaid direction(s).

**(Sandeep Kumar, J)**

Shishir/-

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