

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4797 of 2017

Basudeo Mehta Son of late Budhan Mehta Resident of Mohalla- New Area
Div Asthan, Ward No. 12, P.O. P.S. District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Aurangabad.
3. The Deputy Collector, Land Reforms, Aurangabad, District- Aurangabad.
4. The Circle Officer C.O Aurangabad, District- Aurangabad.
5. The C.I. Ramji Singh, Aurangabad Sadar, District- Aurangabad.
6. The Govt. Amean, Baijnath Jha Circle Aurangabad, District- Aurangabad.
7. Shanti Devi Wife of late Dudheshwar Singh
8. Manish Kumar Singh Son of late Dudheshwar Singh
9. Chhout Son of late Dudheshwar Singh Respondent No. 7 to 9 are resident of Mohalla New Area, Devi Asthan, Ravidas Nagar, Ward No. 12, P.O. P.S.District- Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar No. 1, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, G.P. -14

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-05-2024 Heard the parties.

2. The present writ petition has been preferred for the
following relief(s):-

*(i) for issuance of a writ in the
nature of Certiorari for setting aside the
illegal, improper and incorrect order dated
28-2- 2017 passed by learned Circle Officer
Aurangabad, Contained in Annexure-10
Whereby and where under, without any show
cause without any prior information, without*



providing sufficient opportunities to be heard, Respondents have directed to remove the Encroachment on Khata No. 295 Plot No. 55 Area of 100'x10', which is never several encroached by the petitioner as times, in measurement by Govt. Authorities, it has been found that petitioner has not encroached a single square fit of land on the plot, when it has been mentioned The Private Respondents on the basis of misuse of Power, Post and money again and again filing false, fabricated and frivolous complains, which has been decided at Least 3 times by the competent an authorities, that petitioner has not encroached any piece of land as mentioned impugned order dated 28-2-2017;

(ii) further for Prohibiting the State Respondents not to act on the false, fabricated and frivolous and malicious complain again and again for the same cause of action and for the same set of facts which has all ready been decided thrice by the competent authorities;

(iii) for that the Respondents be strictly prohibition not to harass 84 years old senior citizen petitioner again and again for the same issue which has been decided thrice;

(iv) for that the Respondents be



directed to pay the appropriate cost and compensation for unnecessary mental, Physical and economical harassment done by the illegal and un constitutional acts of the Respondents;

(v) that during the pendency of this writ petition operation of order dated 28-2-17 (Annexure(0) and further proceeding of encroachment case No. 29/16-17 may kindly be directed to remain stayed.

3. After some arguments, learned counsel for the petitioner seeks permission to withdraw of the petition with a liberty to approach the appropriate authority.

4. Granting such liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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