

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1448 of 2023

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Suresh Rai @ Lalan Rai S/O Late Deomun Rai @ Devmuni Rai @ Deomuni Rai Resident of Village- Kathrain @ Katharai, P.O.- Siyadih, P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariate, Patna.
2. The District Collector Bhojpur at Ara.
3. The Additional District Collector, Bhojpur.
4. The Sub-Divisional Officer Piro, Bhojpur.
5. The Superintendent of Police Bhojpur at Ara.
6. The Deputy Collector, Land Reforms, Piro, Bhojpur.
7. The Circle Officer, Charpokhari, District- Bhojpur.
8. The Block Development Officer Charpokhari District- Bhojpur.
9. The S.H.O., Charpokhari Police Station, Piro, Bhojpur.
10. The Anchal Amin Charpokhari District - Bhojpur.
11. Birendra Kumar Son of Keshaw Prasad Rai Resident of Village- Kathrain @ Kathrai, P.O.- Siyadih, P.S.- Charpokhari, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Prasad Singh, Adv.
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-11-2024 Although the present writ petition has been filed for quashing the order dated 8.10.2022, passed by the learned Court of Additional Collector, Bhojpur at Ara, in Encroachment Appeal Case No. 20 of 2020, however, at the outset, the learned counsel for the petitioner submits that the petitioner has already preferred a title suit bearing Title Suit No. 35 of 2011, which is pending consideration before the learned Court of Munsif, Sub-



Divisional Civil Court, Piro, wherein the petitioner had filed a petition under Order XXXIX Rule 1 and 2 read with Section 151 of the Code of Civil Procedure 1908, but the same was dismissed by an order dated 25.11.2022, nonetheless the same has been challenged by the petitioner before the learned Court of District Judge, Civil Court, Bhojpur at Ara, by filing Appeal No. 4 of 2023, hence, the petitioner be granted liberty to prosecute the same and during the interregnum period, some protection be granted. Liberty, so sought, is granted.

2. It is needless to state that for a period of four weeks from today, status quo, existing as on today qua the land/house of the petitioner in question, shall be maintained.

3. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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