

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3856 of 2024

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1. Birendra Kumar Mishra son of Late Yamuna Mishra, resident of Village-Patti, P.S.-Kudra, District-Kaimur at Bhabhua.
 2. Sanjay Mishr, son of Late Samuna Mishra, resident of Village-Patti, P.S.-Kudra, District-Kaimur at Bhabhua.
 3. Radheshyam Mishr, s/o Late Sidhnath Mishra, resident of Village-Patti, P.S.-Kudra, District-Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through Land Revenue Department, Govt. of Bihar, Patna.
2. The Collector, Kaimur at Bhabhua.
3. Anchaladhikari Kudra, District Kaimur at Bhabhua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate
For the Respondent/s : Mr. Raghwanand, GA-11

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-06-2024 The present writ petition has been filed
seeking the following relief:-

“1. That this writ application is directed against the order dated 27.9.2023 passed in Encroachment Appeal Case No. 3/2023 by learned Collector cum District Magistrate, Kaimur at Bhabua, whereby and whereunder he has been pleased to affirm the order dated 25.1.2023 passed in Encroachment Case No. 2/2020-21 by Anchal Adhikari, Chand,



Kaimur at Bhabua."

2. At the outset, the learned counsel for the petitioners submits that the petitioners have already preferred a title suit bearing Title Suit No. 251 of 2023, which is pending adjudication, before the learned Court of Munsif, Mohania (Kaimur), hence the petitioners be granted liberty to approach the Ld. Trial Court for grant of interim relief and they be granted protection for a period of four weeks. Liberty, so sought, is granted.

3. It is needless to state that for a period of four weeks from today, no coercive steps shall be taken against the petitioners so as to enable the petitioners to approach the learned trial court for grant of interim relief.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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