

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2799 of 2024

=====

Upendra Kumar Sinha S/o Late Kedarnath Singh, Resident of Nathupur, P.S.Fathua, District-Patna, at present Flat No.502, Balajee Green Homes Apartment, Sundar Nagar, Ram Jaipal Road, Patna, P.S. Rupaspur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land and Revenue Department, Bihar, Patna.
2. The Collector, Patna.
3. The Sub Divisional Officer, Patna City.
4. The Circle Officer, Fatuha, District-Patna.
5. The S.H.O. Fathua, District-Patna.
6. Sushil Singh, Son of Late Gupteshwar Singh, Resident of Resident of Nathupur, P.S. Fathua and District Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Respondent/s : Mrs. Divya Verma, AC to AAG-3

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-06-2024 The present writ petition has been filed seeking the following reliefs:-

“1.(i) For issuance of writ in the nature of Mandamus commanding and directing the Respondent authorities to remove the encroachment from the public road bearing Plot No. 488 appertaining to Khata No. 43 recorded in the name of the State of Bihar as Gairmazarua Malik Gadhha is being used as Aam Rasta as well as the flow of drain of locality and the easement of the petitioner as the



house of the petitioner is constructed adjacent to land appertaining to Khata No. 38, Plot No. 489 recorded in the name of the ancestor of the petitioner which has been illegally encroached by the private respondent by making Pucca construction encroaching the land in question.

(ii) For further direction to respondent authority to remove the encroachment from the public road as Aam Rasta of the locality as well as the petitioner and his family members bearing Khata No 11 plot no 84 illegally encroached by the private respondent by making Pucca construction over the land.

(iii) For further direction to the Respondent authorities to initiate a proceeding of encroachment against the private respondent and take measurement and remove the private respondent from the land in question holding as encroacher so that the petitioner as well as public of the locality can use the land freely as Aam Rasta and ingress and egress of the petitioner and his family members could not disturb and as well as their house could not defaced.

(iv) For further direction to the Respondent authorities to dispose of the representation of the petitioner by reasoned and speaking order within time



frame.”

2. The learned counsel for the petitioner seeks to withdraw the present writ petition, to which the learned counsel for the respondent-State has got no objection.

3. Accordingly, the present writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

