

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3269 of 2024

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1. Anil Kumar Singh Son of Shambhu Prasad Singh Resident of Vilalge-Kishunpali P.S.-Darauli, District-Siwan, Bihar-841234.
 2. Bidya Bhushan Singh Son of Gandhi Singh Resident of Village-Hathauri, P.S.-Darauli, District-Siwan, Bihar 841234
 3. Chandra Bhushan Singh Son of Ramashish Singh Resident of Village-Mairawa Darauli, Hathauri, P.S.-Darauli, District-Siwan, Bihar-841234.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secreary, Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Sub Divisional Officer, Siwan Sadar.
4. Circle Officer, Darauli, Siwan.
5. Block Development Officer, Darauli, Siwan.
6. Panchayat Secretary, Kishunpali, Block-Darauli, Siwan.
7. Karamchari, Gram Panchayat-Kishunpali, Block-Darauli, Siwan.
8. Mamta Devi Mukhiya, Gram Panchayat Kishunpali, W/o Manoj Vari Village and Post-Kishunpali, P.S.-Darauli Block-Darauli, District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kant, Advocate
For the State	:	Mr. Ajay, Governmnet Advocate (5)
For the Respondent No. 8	:	Mr. Satyendra Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-06-2024 Heard Mr. Mukesh Kant, learned Counsel for the

petitioner and Mr. Ajay, learned G.A.-5 as also Mr. Satyendra

Rai, learned Counsel for the respondent no. 8.

2. The present petition has been preferred for the
following reliefs:-

*(i) to issue a writ in the nature of
Mandamus to the District Magistrate Siwan to
direct Circle Officer Darauli that to remove the
encroachment over the land situated in village
Hathauri, Police Station- Darauli, District- Siwan,
Thana no. 163, Khata no. 160, Survey No.381,*



area 1.63 decimals;

(ii) to issue a writ in the nature of mandamus commanding the respondents to return petitioners land which is private land of petitioners;

(iii) to pass interim/ ex-parte ad-interim order during the pendency of the writ application.

3. A counter affidavit has been filed on behalf of the respondent nos. 2 & 4 and paragraph-6 read as follows:-

“6. That it is respectfully submitted that at the outset that the proposal for construction of waste processing unit (WPU) over the land in question has been withheld and another dispute free land is being inquired into and considered.”

4. Mr. Mukesh Kant, learned Counsel for the petitioner submits that in view of the aforesaid averment, the case has lost his force.

5. Taking into account the aforesaid facts as also the reply in the counter affidavit, the writ petition stands disposed of.

(Rajiv Roy, J)

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