

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3869 of 2022

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1. Raghvendra Kumar S/o Late Kumar Birendra Sharma, Resident of Village - Okari, P.S. Ghosi, P.O. - Jaitipur, District - Jehanabad.
 2. Om Prakash Sharma, S/o Late Laxmi Narayan Singh @ Laxmi Prasad Singh, Resident of Village - Okari, P.S. Ghosi, P.O. - Jaitipur, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Jehanabad, P.O. and P.S. - Jehanabad, District - Jehanabad.
2. The Director Co-operative Officer, Jehanabad.
3. Circle Officer Modanganj, P.O. - Modanganj, P.S. - Ghoshi, District - Jehanabad.
4. Rinki Devi, Wife of Bibhuti Sharma, Mukhia Okari Panchayat R/o Village - Okari, P.S. - Ghoshi, District - Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Respondent/s : AC to GP-18

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

16 14-11-2024 1. Heard learned counsel for the petitioners and learned AC to GP-18.

2. The learned AC to GP-18 submits that the grievance of the petitioners stands redressed as would manifest from the counter affidavit filed on behalf of respondent no. 3 on 11.03.2024 wherein at Para-7 of the counter affidavit, it has been specifically pleaded that the demarcation of the said land was conducted on 02.03.2024 and thereafter a detailed report with *Najri Naksha*, photo copy of survey map of 1913-14 was



submitted by the *Anchal Amin*, Modanganj dated 05.03.2024. In the report, it has been shown that total claimed area of the petitioners is 1 Acre 31.21 Decimal which was demarcated at the spot and further *Pakka* houses of six persons were also found in the said land. In the additional fallow land, *Nad*, *Khunta* were found along with tied cattle and in the remaining fallow land, there is PCC road and water logging, further it was also found that there is building and boundary of Okari, OP, *Manrega* building, *Aanganwadi* building, Primary Sanskrit school building, PACS *godown* and Devi *Sthathan* temple are also built.

3. The learned counsel appearing on behalf of the State further submits that a true copy of the demarcation report by *Anchal Amin* is annexed as Annexure R/5 to the counter affidavit. It is further submitted that at Para-5 of the counter affidavit, it has been specifically pleaded that notices were served to all the affected parties to remain present in person or through representatives at the time of demarcation of the said land on 02.03.2024 by Letter No. 395 dated 28.02.2024 and were further directed to raise objection, if any and will produce evidence in support thereof. It is submitted that the land, in presence of the parties, was measured and demarcated as would



manifest from Annexure R/5. It is further submitted that a reply to the counter affidavit has been filed on behalf of the petitioners and they do not dispute that measurement of the land in question was not done in their presence.

4. The learned counsel appearing on behalf of the petitioners does not dispute the said fact nor in his reply has disputed that notices were not issued/served on the petitioners.

5. Considering the submissions made by the learned counsel appearing on behalf of the State that grievance of the petitioners stands redressed and the same is not disputed by the learned counsel appearing on behalf of the petitioners, as such, no useful purpose would be served by keeping the writ application pending.

6. Accordingly, the instant writ application is disposed of.

(Satyavrat Verma, J)

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