

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.557 of 2023

In
Civil Writ Jurisdiction Case No.16544 of 2022

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Suresh Sharma Son of Late Indrasan Sharma Resident of Vilalge harpur
Bazar, Police Station Uchkagaon, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Brijesh Mehrotra, the Principal Secretary,
Department of Revenue, Government of Bihar, Patna.
2. Dr. Nawal Kishor Choudhary, The District Magistrate, Gopalganj.
3. Sri Rakesh Kumar, The Sub-Divisional Officer, Hathua, Gopalganj.
4. Sri Ravish Kumar, the Circle Officer, Uchkagaon, Gopalganj.
5. Imam Hussain Son of Saheb Hussain, Resident of Village Harpur Bazar,
Police Station Uchkagaon, District- Gopalganj.
6. Hasmodin Alam Son of Mustkim Miyan Resident of Village Harpur Bazar,
Police Station Uchkagaon, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Yogendra Tiwari, Advocate
For the State	:	Mr.Md. Khurshid Alam (AAG-12)
For the Opposite Party/s	:	Mr. Siya Ram Sahi, Advocate
		Mr. Amir Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 16-02-2024 In compliance of the order of this Court
dated 07.12.2022 passed in CWJC No. 16544 of
2022, the Circle Officer, Uchkagaon, District-
Gopalganj has passed the final order under Section
6(1) of the Bihar Public Land Encroachment Act,
1956, in connection with Encroachment Case No. 9
of 2022-23 and it is the averment of the State that
the encroachment in question has also stood



removed, however, the same has been disputed by the learned counsel for the petitioner.

2. At this juncture, the learned counsel for the private O.P. no. 5 has appeared and has submitted that the aforesaid final order passed by the Circle Officer, Uchkagaon, District-Gopalganj, has already been challenged by the opposite party no. 5, by filing a writ petition bearing CWJC No. 1747 of 2024.

3. In view of the aforesaid, the learned counsel for the petitioner submits that the petitioner would take recourse to the due process of law, hence the present petition be disposed off, however, liberty be granted to the petitioner to revive the present contempt petition in case the aforesaid writ petition stands dismissed. Liberty so sought is granted.

4. Accordingly, the present petition stands disposed off.

(Mohit Kumar Shah, J)

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