

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4062 of 2024

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Rajeev Kumar Roy Son of Late Damodar Pd. Roy @ Babu Damodar Roy,
resident of Village and P.O.- Milki, P.S.- Bihpur, Sub Division- Naugachhia,
District- Bhagalpur, Pincode- 853201.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms, Government of Bihar, Patna.
2. The Collector, at Bhagalpur, District- Bhagalpur.
3. The Sub Divisional Magistrate, at Naugachhiya, District- Bhagalpur.
4. The Superintendent of Police, at Naugachhiya, District- Bhagalpur.
5. The Circle Officer, at Bihpur, District- Bhagalpur.
6. The S.H.O. of Bihpur Police Station, District- Bhagalpur.
7. The Circle Officer, at Kharik, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate
For the Respondent/s : Government Pleader 14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2024 The present writ petition has been filed seeking the following relief:-

"1 That this is the writ petition being filed before this Hon'ble High Court on behalf of the aforesaid petitioner for issuance of a writ in the nature of "Certiorari" whereby and whereunder setting aside the order as contained in memo no. 632 dated 16.06.2023 issued and signed under the signature of Sub Divisional Magistrate, Naugachhiya, District- Bhagalpur whereby the police team has been formed/constituted under the control and supervision of Circle Officer, Bihpur for removal of encroachment which is subject matter of encroachment



case no. 02/2022-23 in relation to the lands bearing Khata no.1986 and 1186, appertaining to Khesra no. 3552 and 3502, measuring an area of 0.18 decimals and 0.7040 square feet, falling within mauza Bihpur, Thana no. 59, P.S.- Naugachhiya, District- Bhagalpur which the petitioner hereinabove claims to have in physical possession over 60 years by constructing a Pucca dwelling house over the aforesaid land in which the petitioner as well as his other family members are still residing therein. And further prayer of the aforesaid petitioner is to restrained the state respondents hereinabove from removal/demolition of their residential house of the aforesaid petitioner during the pendency of the instant writ petition.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to prosecute the suit, filed by him, bearing Title Suit No.250 of 2022, pending before the learned Court of Sub-Judge, Naugachhiya, District- Bhagalpur. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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