

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6611 of 2024

Binda Ray Son of Late Ayodhya Ray @ Ram Ayodhya Ray R/o Hira Nand Shah Ghat, Chowk, Patna City Patna City, P.S.-Chowk, P.O.-Jhauganj, District-Patna, Bihar, Pin-800008.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The District Magistrate, Saran.
5. The Circle Officer, Patna, District-Patna.
6. The Circle Officer, Sonapur, District-Saran at Chapra.
7. The SDO Patna City, District-Patna.
8. DCLR, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Ojha, Adv.
For the Respondent/s	:	Mr. Kinkar Kumar, SC-9
		Mr. Sushant Praveen, AC to SC-9
		Ms. Sushmita Sharma, AC to SC-9

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-10-2024 Heard the learned counsel for the petitioner Mr. Ajit Kumar Ojha and the learned Standing Counsel -9 Mr. Kinkar Kumar.

2. The learned counsel appearing on behalf of the petitioner submits that the relief prayed for in the instant writ application is akin to the relief prayed for in C.W.J.C. No.6194 of 2024 (Satish Kumar Vs. The State of Bihar). It is submitted that C.W.J.C. No.6194 of 2024 was permitted to be withdrawn with liberty to file an appeal before the Collector, Patna with



certain observations. The learned counsel thus seeks permission to withdraw the instant writ application with liberty to move before the Collector, Patna for filing an appeal against the order dated 05.05.2022 in Encroachment Case No.58 of 2021-22.

3. Permission is accorded.

4. The writ application is dismissed as withdrawn with aforesaid liberty.

5. It is made clear that if petitioner files any appeal before the Collector, Patna on or before 18.11.2024, the Collector, Patna while considering the issue of limitation shall also keep in mind that the petitioner was seeking his remedy before this Court.

6. The Court expects that the authorities shall not disturb the possession of the petitioner till 18.11.2024.

(Satyavrat Verma, J)

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