

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6062 of 2023

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Ravindranath Singh Son of Late Kapildeo Singh Resident of Ward No. 52,
Prabezabad, P.S.- Parvezabad, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Saran Division, Saran.
2. The District Magistrate, Saran at Chapra.
3. The Sub-Divisional Officer, Sonpur, Saran at Chapra.
4. The Circle Officer, Sonpur, Saran at Chapra.
5. The Executive Officer, Nagar Panchayat, Sonpur, Saran at Chapra.
6. Vipin Singh, Son of Late Ram Nath Singh, resident of Village-Prabezabad,
Ward No. -2, P.S.-Parvezabad, District-Saran at Chapra (Sonepur).
7. Guddu Singh, Son of Late Ram Nath Singh, resident of Village-Prabezabad,
Ward No. -2, P.S.-Parvezabad, District-Saran at Chapra (Sonepur).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 28-06-2024 The present writ petition has been filed
seeking the following relief:-

“1. That the present writ application is being filed for issuance of appropriate writ, rule or direction in the nature of Mandamus or any other appropriate writ, commanding upon the respondents to remove encroachment from a land bearing its Thana No.95, Khata No.271, Khesra No.928 which is a public land over which Gairmajarua Aam village road exists and which is



situated in the village Parvezabad under the Circle Sonpur, Police Station Sonpur in the district of Saran at Chapra which measures the total area of 7 kattha, 13 dhur out of which over the area of 528 sq. feet has been encroached causing troublesome to the co-villagers of the locality.

And

Also for directing the respondents to comply with the order passed under section 5(1)(c) of the Bihar Public Land Encroachment Act, 1956 by the Collector, Saran for getting removed the encroachment from over the land pertaining to Thana No.95, Khata No.271, Khesra No.928 which is a public land over which Gairmajarua Aam village road exists and which is situated in the village Parvezabad under the Circle Sonpur, Police Station Sonpur in the district of Saran at Chapra in pursuance of which the notice dated 22.11.2022 has been issued by the Circle Office, Sonpur, Saran under the signature of the Collector, Saran (Annexure-8) to the person who has been found to have encroached the said Gairmajarua Aam Village Road."

2. At the outset, the learned counsels for



the respondents jointly submit that a title suit has been filed by the private respondents no. 6 & 7 before the learned Court of Sub-Judge, Sonpur, Saran bearing Title Suit No. 95 of 2023, wherein an order of injunction has already been passed on 04.10.2023, hence the proceedings for removal of encroachment has been stayed.

3. At this juncture, the leaned counsel for the petitioner seeks liberty on behalf of the petitioner to join the proceedings of the aforesaid Title Suit No. 95 of 2023. Liberty, so sought, is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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