

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6556 of 2024**

=====

Rupan Yadav Son of Late Butan Yadav Resident of Ward No. 4, Maheshpura,  
Dumri, P.O.- Prora, P.S.- Chhaurahi O.P., District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Begusarai.
2. Deputy Collector Land Reforms, Manjhoul, District- Begusarai.
3. Circle Officer, Chhaurahi, District - Begusarai.
4. Baiju Yadav @ Buchchi Yadav Son of Late Nemo Yadav Resident of Village- Dumri, P.S.- Chhaurahi O.P., District- Begusarai.
5. Sanjay Yadav Son of Baiju Yadav @ Buchchi Yadav Resident of Village- Dumri, P.S.- Chhaurahi O.P., District- Begusarai.
6. Diwakar Yadav Son of Baiju Yadav @ Buchchi Yadav Resident of Village- Dumri, P.S.- Chhaurahi O.P., District- Begusarai.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr.Arghesh Kumar, Advocate  
For the Respondent/s : Mrs. Vijaya Laxmi Srivastava, AC to SC-23

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      01-07-2024                      The present writ petition has been filed  
seeking the following relief:-

*"1. That this application is for  
issuance of an appropriate writ(s),  
order(s) or direction(s) and thereby  
to issue a writ in the nature of  
"Mandamus" commanding the  
respondents authorities to execute  
/implement the order dated  
07/05/2022 passed by learned  
D.CL.R. Manjhoul in Encroachment  
Case No. 02/2021-22 by which the*



*learned D.C.L.R. directed to C.O. Chhaurahi to remove the encroachment over the public land appertaining to Mauza- Demri, Khata No. 32, Plot No. 815 area 14 feet x 25."*

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Chhaurahi, District-Begusarai to comply with the order dated 07.05.2022, passed by the Deputy Collector Land Reforms, Manjhaul, as aforesaid.

3. *Per contra*, the learned counsel for the respondent-State submits that the encroachers, namely, Baiju Yadav and Sanjay Yadav have filed title suit bearing Title Suit No. 10 of 2022, before the Court of Sub-Judge, Manjhaul, with regard to the land in question, hence the order dated 07.05.2022, as aforesaid, is not being enforced, however, it is submitted by the learned counsel for the petitioner that the injunction petition filed in the aforesaid title suit has already stood rejected, hence there is no impediment in enforcing the aforesaid order dated 07.05.2022.

4. Having regard to the facts and



circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to approach the Circle Officer, Chhaurahi, District-Begusarai and bring the aforesaid fact regarding dismissal of the injunction petition, to the notice of the Circle Officer, Chhaurahi, District-Begusarai, who shall then take appropriate action, forthwith, in accordance with law.

5. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

S.Sb/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

