

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1622 of 2008

MD.SHAH JAHAN, son of late Md. Idris, resident of Mohalla Khagra, P.S.
Town and District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Kishanganj
3. The Sub-Divisional Officer, Kishanganj
4. The Deputy Collector, Land Reforms, Kishanganj
5. The Circle Officer, Kishanganj
6. The Executive Officer, Kishanganj Municipality Kishanganj
7. The Kishanganj Municipality through its Executive Officer,
Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Najmul Hoda, Adv.
For the Respondent/s	:	Mr. Sarvesh Kumar Singh, AAG-13 Mrs. Sunita Kumari, AC to AAG-13
For the Nagar Parishad	:	Mr. Bindhyachal Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 08-08-2024 The present writ petition has been filed seeking the
following relief:-

“1. That this writ application is for restraining the
Respondent authorities from dispossessing the
petitioner from the house in question by
demolishing the house.”

2. At the outset, the learned counsel appearing for the
Executive Officer, Kishanganj Nagar Parishad, submits, by
referring to the counter affidavit filed in the present case that
neither any encroachment proceedings have been initiated
against the petitioner nor any notice has been issued by the



Kishanganj Municipality to the petitioner nor any staff of the Kishanganj Nagar Parishad has gone to the house of the petitioner to demolish the same, hence, the present writ petition is misconceived.

3. Considering the aforesaid aspect of the matter, the learned counsel for the petitioner submits that if that be the case, the present writ petition be disposed off, however, with liberty to the petitioner to approach the Respondents in case of any subsisting grievances. Liberty, so sought, is granted.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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