

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16014 of 2014

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Lal Kishore Prasad son of Late Chandra deo Prasad resident of village-
Nawalpur, P.S.- Nawalpur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar, Home Department, Government of Bihar, Patna
2. The District Magistrate, West Champaran at Bettiah
3. The Superintendent of Police, West Champaran at Bettiah
4. The Sub-Divisional Officer, Bettiah, West Champaran
5. The Circle officer, Circle Yogapatti, West Champaran
6. The Officer-in-Charge, Nawalpur Police Station, West Champaran
7. Deonath Yadav, S/o Late Chhote Lal resident of village- Nawalpur, P.S.-
Nawalpur, District- West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ansul, Adv.

For the Respondent/s : Mr.Sandeep Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-05-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1.(i) To get the encroachment on Plot No. 1664/2
area 750 Sq. meter and on Plot No. 163911 area
0.6% decimal falling within village Nawalpur
Thana No. 403, circle, West Champaran for
which the private respondent has been declared
on encroacher vide encroachment case no. 03 of
2007-08 and his Appeal No. 57/2008-09 has been
dismissed and challenge the same in CWJC No.
1280 of 2009 failed.*

*(ii) To take all possible steps including coercive
steps for removal of encroachment from public
land detailed above.*



(iii) To identify and prosecute the persons responsible for continuance of evasion of orders of courts of competent Jurisdiction.”

2. At the outset, the learned counsel for the respondent-State has referred to the counter affidavit, filed in the present case and has submitted that the land in question is subject matter of two title suits, bearing Title Suit No.23 of 2011 and Title Suit No.101 of 2013, which are pending adjudication, before the learned Court of Munsif, Bettiah, West Champaran and in fact in Title Suit No.101 of 2013, the learned Munsif, West Champaran at Bettiah, by an order dated 26.07.2019 has directed the parties to maintain status quo, till disposal of the said suit, hence it is submitted that the petitioner should approach the learned Trial Court by getting impleaded with the aforesaid title suits.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the learned Trial Court, in the aforesaid pending title suits. Liberty so sought is granted.

4. Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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