

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12772 of 2014

Subodh Kumar Sinha S/o Late Tetar Singh R/o Village - Pachuara, P.S.
Harnaut, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Nalanda at Bihar Sharif
3. The Sub - Divisional Officer, Bihar Sharif, Nalanda
4. The Circle officer, Harnaut, Nalanda
5. The Executive Engineer, Rural Works Division, Harnaut, District - Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar, Adv.
For the Respondent/s : Mrs.Kumari Amrita, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 26-06-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1. (i) To issue appropriate writ (s), order (s) or direction (s) commanding the Respondents concerned to remove encroachment from Khata No. 325, Plot No. 1444 Part, Area- 4 ½ Decimals situated at Village Pachuara, District Nalanda, a Piece of Residential land belonging to the petitioner thus thereafter hand him over the same in its original shape and properly compensate him for damages/loss caused.

(ii) Further issue any other appropriate writ (s) commanding the respondent (s) concerned not to disturb in peaceful possession of land in question and utilize public land for purpose of laying down



the road and even if the land-in-question is required for the purpose aforesaid then put the same under acquisition proceedings, properly acquire the land, pay compensation in accordance with law thus thereafter utilize the land-in-question.”

2. At the outset, the learned counsel for the respondent-State has referred to the counter affidavit, filed on behalf of the respondent no.5, to submit that the *raiya* land of the petitioner has been restored to its original position, by filling the soil which was taken out unauthorizedly, hence the present writ petition has been rendered infructuous.

3. The aforesaid fact has not been refuted by the petitioner, inasmuch as no rejoinder affidavit has been filed.

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

(Mohit Kumar Shah, J)

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