

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3352 of 2014

Kalawati Devi W/O Late Munna Prasad @ Krishna Prasad Resident Of
Mohalla- Shitaltola, P.S- Ara Town, District- Bhojpur Ara

... .. Petitioner/s

Versus

1. The State Of Bihar through District Magistrate, Bhojpur at Ara.
2. The Special Commissioner, Road Construction Department, Govt. Of Bihar, Patna.
3. The District Magistrate, Bhojpur At Ara, District- Bhojpur At Ara.
4. The Sub Divisional Officer, National High Way, Sub Division, Road Construction Department, Ara, Dis
5. The Executive Engineer, National High Way, Western Division, Patna, District- Bhojpur At Ara.
6. The Circle Officer, Ara, Sadar, Bhojpur, District- Bhojpur At Ara.
7. Shivjee Singh @ Shivjee Singh S/O Late Sudeshwar Singh Resident Of Village- Mohalla Shetal Tola Bhakura, P.S- Ara, District- Bhojpur.
8. Harendra Singh S/O Late Dhaja Singh Resident Of Village Shetal Tola Shivganj, P.S- Ara, District- Bhojpur Ara
9. The Officer- In- Charge, Ara Town Police Station, P.S- Town, Police Station, District- Bhojpur Ara

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh, Advocate
For the Respondent/s : Mr.Gal- S.K.Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 26-06-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(I) That the present writ application is being filed for issuance of an appropriate writ order/ direction(s) in the nature of Mandamus for quashing / setting aside the notice dated 10-12-2013 passed by the Circle Officer, Sadar, Ara, Respondent no-6 in the light of Miscellaneous Case no.41/2012-13 by the District Magistrate, Bhojpur at Ara and



the order of District Magistrate, respondent no-1 was passed in the light of order passed in CWJC No. 11901 of 2012 (Harendra Singh v. State of Bihar & others) by which the Circle Officer, Sadar, Ara, respondent no-6 is going to take action for removal of encroachment on the ground that petitioner was not party in writ nor before the D.M and she has not been noticed at any time of moment either before the Hon'ble High Court or before the District Magistrate nor the petitioner has encroached the land as claimed.

(II) For issuance of an appropriate writ, order or direction (s) not to disturb the physical possession of the petitioner over the land measuring an area of 17 Dhur 7 Dhurki under plot no.4897 Khata no.1048 situated in Mohalla Sheetal tola, P.S. Ara Town, Ward no.20, District- Bhojpur at Ara.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed.

(Mohit Kumar Shah, J)

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