

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9144 of 2023

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Kamata Singh @ Kamta Yadav Son of Late Ramchela Yadav Resident of
Village- Naugdh, Paschim Pattty, P.S- Bhagwanpur, Post- Kharenda, Dist-
Kaimur(Bhabhua)- Bihar 821102.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms and Revenue, Bihar at Patna.
2. The Principal Secretary, Department of Land Reforms and Revenue, Government of Bihar, Secretariat, Patna.
3. The District Magistrate, Kaimur at Bhabhua.
4. The Circle Officer, Bhagawanpur (Kaimur at Bhabhua).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Priyajeet Pandey, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-09-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(a) For issuance of writ in the nature of
Certiorari to quash the notice dated
12.04.2023 (As contained in Annexure-8)
passed by the Circle Officer, Bhagwanpur
(Kaimur) in Encroachment Case No.16/2017-
18, where by and where under the learned
Circle Officer has notified that the construction
made over the disputed land (home of the
petitioners since last 40-45 years) will be
demolished on 19.04.2023.”*

2. At the outset, the learned counsel for the



respondent-State has not disputed the fact that the learned Court of Munsif, Kaimur at Bhabhua, by an order dated 14.12.2021, passed in Title Suit No.42 of 2018, filed by the petitioner and others, has passed an order directing the parties to maintain status quo, as also has directed the defendants i.e. the respondents herein, not to take any coercive action for the purposes of removal of the house, which is standing on the suit land, hence it is submitted that till the disposal of the title suit or till the aforesaid order dated 14.12.2021 is vacated, which ever may be earlier, no coercive action shall be taken against the petitioner.

3. The learned counsel for the petitioner submits that if it be so, the present writ petition be disposed off.

4. Accordingly, the writ petition stands disposed off, while taking note of the aforesaid submission, advanced by the learned counsel for the respondents.

(Mohit Kumar Shah, J)

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