

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8186 of 2023

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Parshuram Rai Son of Late Mahesh Rai, Resident of Hanuman Nagar, P.O.-
Dharharwa, P.S. Aurai, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Sub-Divisional Officer, Muzaffarpur.
4. The Circle Officer, Aurai, District Muzaffarpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2552 of 2023

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Vinod Kumar Rai @ Vinod Kumar Son of Late Jay Mangal Rai, Resident of
Village- Dharharwa Hanumannagar, P.S.- Aurai, Dist Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Superintendent of Police, Muzaffarpur.
4. The Sub Divisional Officer, East Muzaffarpur.
5. The Circle Officer, Aurai, Muzaffarpur.
6. The Police Officers in charge, Aurai Police Station, Muzaffarpur.
7. Parshuram Rai Son of Late Mahesh Rai, Residence of Village- Hanuman Nagar, P.S. Aurai, District- Muzaffarpur.
8. Bhole Shankar Rai Son of Late Jiya Lal Rai, Residence of Village- Hanuman Nagar, P.S. Aurai, District- Muzaffarpur.
9. Kanti Devi Wife of Late Ramesh Rai, Residence of Village- Hanuman Nagar, P.S. Aurai, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 8186 of 2023)

For the Petitioner/s : Mr.Subodh Kumar

For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

(In Civil Writ Jurisdiction Case No. 2552 of 2023)

For the Petitioner/s : Mr.Shailesh Kumar

For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-04-2024

Re. **C.W.J.C. No. 8186 of 2023**

Heard the parties.

2. From the pleadings and the argument of the learned counsel for the petitioner, it is an admitted fact that the petitioner is an encroacher and therefore, there is no need of any interference in the order of the Circle Officer for directing for removal of removal of encroachment.

3. This application is dismissed with direction to the authorities to consider the application of the petitioner which has been filed for allotment of a plot under Bihar Privileged Persons Homestead Tenancy Act.

4. The pendency of this application does not give any right to the petitioner who is an encroacher to encroach upon the land. The encroachment should be removed forthwith.

5. The application of the petitioner under the Bihar Privileged Persons Homestead Tenancy Act shall be decided by the concerned authority by the 15th of June, 2024.

6. The petitioner shall not be removed till 30th of June, 2024.

Re. **C.W.J.C. No. 2552 of 2023**

7. Heard the parties.



8. In view of the order passed in C.W.J.C. No. 8186 of 2023, this application is disposed of.

(Sandeep Kumar, J)

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