

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12836 of 2018

1. Umesh Chandra Choubey son of Late Ratneshwar Choubey
2. Prabhash Chandra Choubey son of Late Nand Kishore Choubey
3. Ashutosh Kumar Choubey son of Late Bibhuti Bhushan Choubey
4. Krishnarjun Choubey son of Late Subhash Chandra Choubey
5. Arjun Ranjan Choubey son of Dr. Bibhash Chandra Choubey All resident of Mohalla- Gandhi Nagar, Tarapur, P.S.- Tarapur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Munger.
3. Circle Officer, Tarapur, Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sourendra Pandey, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambashtha, SC-26
		Mr. Santosh Kr. Mishra, AC to SC-26

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 21-11-2024 The present writ petition has been filed
seeking the following relief:-

"1. That the present writ petition is being filed for issuance of appropriate writ, rule, direction setting aside the Notices issued by the Circle Officer, Tarapur to the petitioners in Encroachment Case No. 10/2018-19, directing the petitioners to remove the encroachment made over the land situated at Mauza-Sondiha, appertaining to Khesra No. 323, stating the same to be Government land. And further for



direction upon the authorities to give an opportunity to the petitioners to represent their cases and also direct the authorities to come out with documents to show that the land belongs to the Government.”

2. At the outset, the learned counsel for the respondent-State submits that the Circle Officer, Tarapur, District-Munger undertakes that no adverse order shall be passed against the petitioners without giving them an opportunity to produce requisite documents showing their right, title and interest in the land in question and without taking recourse to the due process of law.
3. The learned counsel for the petitioners submits that if it be so, the present writ petition be disposed off.
4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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