

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4840 of 2015

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Bhola Sah, son of Utim Sah, resident of village-Behta, P.S.-Benipatti,
District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Madhubani
3. The Sub-Divisional Officer, Benipatti, Madhubani
4. The Deputy Collector, Land Reforms, Benipatti, Madhubani
5. The Circle Officer, Benipatti, Madhubani
6. Ram Bhajan Sah, son of late Prem Sah, resident of Mauza Behta, P.S.-
Benipatti, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Saroj Kumar, Adv.
For the Respondent/s	:	Mr.Ajay Kumar, AC to GP-4
For the Respondent No. 6	:	Mr. Subhash Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 31-07-2024 The present writ petition has been filed seeking the
following relief:-

“1. That this is an application for issuance of a writ in the nature of certiorari to quash the order of the respondent No.2 as contained in memo No.209 dated 16-2-2015 issued by the respondent No.4 by which direction has been given to remove the encroachment of the Rasta after its demarcation by using the force and further for issuance of a writ in the nature of mandamus and/or any other appropriate writ, order or direction commanding the respondents not to interfere with the possession of the petitioner over his raiyati land.”



2. At the outset, the learned counsel for the Respondent-State submits, by referring to paragraph no. 16 of the counter affidavit, filed on behalf of the Respondent No. 5 that only demarcation of the land of the petitioner and the private Respondent No. 6 has been carried out by their respective Amins and after demarcation, they have also signed over the demarcation report, hence, no further step is being taken at the moment and in case, the parties are aggrieved, they may approach the competent Civil Court having appropriate jurisdiction for redressal of their subsisting grievances.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose of the present case while recording the submission made by the learned counsel for the Respondent-State, as aforesaid.

(Mohit Kumar Shah, J)

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