

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10697 of 2023

Mukesh Sah @ Mukesh Kumar Prasad Son of Shiv Kumar Prasad @ Shiv Shankar Sah, Resident of Village- Pipra, Anchal- Daraunda, P.S- Daraunda, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary-cum-Principal Secretary, Revenue Department, Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Additional Collector, Siwan.
4. The Circle Officer, Daraunda, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP- 18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 25-06-2024

The present writ petition has been filed

seeking the following relief:-

"1.That this writ application is being filed for issuance of an appropriate writ/writs, direction/directions or order/orders for quashing the notice dated 10.05.2023 issued by the Respondent No. 4 the Circle Officer, Daraunda against the petitioner alongwith others in respect to the land situated in Mauza- Pipra, Thana No. 192, Khata No. 45 & 2, Survey Plot No. 548, 533, 534 which is said to be Sairat land in compliance of the order passed in C.W.J.C.No. 2925/2017 and M.J.C.No. 3097/2019 in respect to Encroachment Case No. 01B/2017-18, by which direction has been given to remove the encroachment from the



aforesaid land. Further it was directed to remove the encroachment upto 24.05.2023 after that the encroachment will be removed by force with help of police personnel."

2. At the outset, the learned counsel for the respondent-State submits that at the moment no coercive action is being taken against the petitioner, hence the present writ petition has been rendered infructuous.

3. *Per contra*, the learned counsel for the petitioner submits that the original owner of the land in question has filed a title suit bearing Title Suit No. 475 of 2018, which is pending before the learned Court of Sub-Judge, Siwan, hence he be permitted to join the said proceedings. Permission, so sought, is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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