

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11963 of 2024

1. Dr. Narendra Kumar Singh son of Late Basudeo Narayan Singh, resident of village- Babhana, Police Station- Jehanabad, District- Jehanabad, At present Resident of Mohalla- Jyoti Puram Colony, Maurya Path, Post Office- B.V. College, P.S.- Rajiv Nagar, District- Patna.
2. Smt. Pushpalata Singh, Wife of Dr. Narendra Kumar Singh resident of village- Babhana, Police Station- Jehanabad, District- Jehanabad, At present Resident of Mohalla- Jyoti Puram Colony, Maurya Path, Post Office- B.V. College, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna- 1.
2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Old Secretariat, Patna- 1.
3. The Divisional Commissioner, Patna.
4. The District Magistrate cum Collector, Patna.
5. The Additional District Magistrate, Vidhi Vyavastha, Patna, District Control Room, Office of the District Magistrate, Patna.
6. The Sub-Divisional Magistrate, Patna Sadar Sub-Division, Patna.
7. The Deputy Collector Lands Reforms, Patna.
8. The Circle Officer, Patna Sadar, Patna.
9. Manibh Prakash, Son of Late Kapildeo Prasad resident of Mohalla- Jyoti Puram Colony Maurya Path, Police Station- Rajiv Nagar, Post Office- B.V. College, District- Patna, PIN- 800014.
10. Shambhu Nath Jha, Son of Late Ram Pukar Jha resident of Mohalla- Jyoti Puram Colony Maurya Path, Police Station- Rajiv Nagar, Post Office- B.V. College, District- Patna, PIN- 800014.
11. Smt. Neera Kumari, Sri Srinivas resident of Mohalla- Jyoti Puram Colony Maurya Path, Police Station- Rajiv Nagar, Post Office- B.V. College, District- Patna, PIN- 800014.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.
For the Respondent/s : Mr. Ramadhar Singh, GP-25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-08-2024 The present writ petition has been filed seeking the



following reliefs:-

“1(a). Issuance of an appropriate writ/ writs/ direction /directions/order/orders to quash the notice dated 10.04.2024, passed in Encroachment Case No.08 of 2023-24, passed by the learned Circle officer, Patna Sadar, by which the petitioners were directed to remove their boundary wall, constructed on society plot no.43/3, ad-measuring 60 feet (1.75 feet wide x34 feet long) and 5 feet height till 13.04.2023.

(b). Issuance of an appropriate writ/writs/direction/directions/order/orders/direct -ing the official respondents to construct the demolished boundary wall of the petitioners and pay adequate compensation to the petitioners for the illegal mental, physical, social, and economical harassment meted out to them by the official respondents.”

2. At the outset, the learned counsel for the petitioners seeks a direction upon the District Magistrate, Patna, to dispose off the pending appeal, filed by the petitioner, bearing Encroachment Appeal Case No. 1 of 2024, within a fixed time frame.

3. *Per contra*, the learned counsel for the Respondent-State submits that if the aforesaid encroachment appeal is pending, it shall be disposed off, within a fixed time frame.



4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the District Magistrate, Patna, to dispose off the aforesaid encroachment appeal, in case the same is still pending, by passing a reasoned and a speaking order, in accordance with law, within a period of four weeks from today.
5. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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