

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15830 of 2015**

Swatantra Kumar Sinha Son of late Nageshwar prasad resident of Mohalla Brahamsath talab Dakshin Ghughari Tar Thana no. 11, P.s Civil Line District Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The District Magistrate, Gaya.
3. The Circle Officer, Gaya.

... .. Respondent/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr.Amaresh Kumar Sinha, Advocate |
| For the State        | : | Mr. Shiv Kumar, AC to GA-3       |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      12-09-2024                      The present writ petition has been filed seeking the following relief:-

*“1. For issuance of a writ in the nature of certiorari or any other appropriate writ, order or direction, quashing the order dated 21.10.2014, passed by the learned District Magistrate, Gaya i.e. respondent no.2 in Encroachment Appeal Case No.02/2008 and for quashing of order dated 18.12.2007 passed by the Circle Officer, Town Gaya i.e, respondent no. 3 in Miscellaneous Case No. 4/07-08 by Anchal Adhikari, Nagar whereby the petitioner has been directed to remove the encroachments made over the land upon which the residential house of the petitioner is situated failing which the same would be demolished and the encroachment would be removed and it is further prayed for issuance of a consequential writ in*



*the nature of writ of mandamus or any other appropriate writ, order or direction commanding the respondents not to interfere with the peaceful right, title, possession & interest of the petitioner upon the property in question without following due process of law.”*

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a civil suit before the learned civil court of competent jurisdiction and further seeks some protection during the interregnum period. Liberty, so sought, is granted.

3. It is needless to state that for a period of three months from today, status quo, existing as on today, qua the land/house of the petitioner in question shall be maintained in order to enable the petitioner to avail appropriate alternative remedy and obtain interim relief.

4. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

kanchan/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

