

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16246 of 2023

=====

Harinandan Prasad Singh @ Harinandan Singh Son of Late Buzavan Singh @ Late Bujhawan Singh, Resident of Village- Narangi, Post - Piroi (Manjhaul), P.S. - Mahua, Block and Anchal - Mahua, District - Vaishali, (Bihar) PIN - 844114.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, New Secretariat, Patna.
3. The District - Magistrate-cum-Collector, Vaishali, District - Vaishali.
4. The Superintendent of Police, Vaishali, District - Vaishali.
5. The Sub Divisional Police Officer, Mahua Sub Division, District - Vaishali.
6. The Sub Divisional Magistrate, Mahua Sub Division, District - Vaishali.
7. The Sargent Major, Police Line Vaishali, District - Vaishali.
8. The Circle Officer, Mahua Block (Circle), District - Vaishali.
9. Mr. Pappu Kumar, Son of Late Suresh Prasad Singh, Resident of Village - Narangi Sariskan, Post - Piroi (Manjhaul), P.S. - Mahua, Block and Anchal- Mahua, District - Vaishali, (Bihar) PIN - 844114.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 13-08-2024 The present writ petition has been filed seeking the following reliefs:-

“1. I. For issuance of a writ in the nature of a writ of Certiorari or any other appropriate writ / writs, order orders or direction / directions for quashing of the order dated 01.09.2023 as contained in Memo No.



1071 dated 01.09.2023 passed by the learned Sub-Divisional Magistrate, Mahua Sub-Division, District-Vaishali i.e. the Respondent No. 6. In effect of the present order the petitioner is apprehending his house to be demolished at any point of time under encroachment proceeding arbitrarily initiated without giving any opportunity to the petitioner.

II. For issuance of a consequential writ in the nature of a writ of Mandamus or any other appropriate writ / writs, order / orders or direction directions after quashing of the impugned order, the respondent authorities particularly the Respondent No. 8 i.e. the Circle Officer, Mahua Block (Circle), District Vaishali be directed to not to disturb the peaceful possession of the land in question by the petitioner who since his ancestors are legally settled upon the said land.

III. For issuance of a consequential writ in the nature of a writ of Mandamus or any other appropriate writ / writs, order / orders or direction / directions restraining the respondents from initiation of any such legal or physical action over the land in question till the adjudication of entitlement which is yet to be decided under Title Suit No.



52/2021.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the final order dated 12.06.2023 passed by the Circle Officer, Mahua in connection with Encroachment Case No. 8 of 2022-23, by filing appropriate appeal. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

