

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16800 of 2023

Sanjay Kumar Singh S/o Rajendra Singh, Resident of Village - Sauwabandh,
P.O. - Karhansi, P.S. - Buxar (M), District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through its Collector, District of Buxar at Buxar.
2. The Sub Divisional Officer, Buxar.
3. The Additional Collector, Buxar.
4. The Circle Officer, Chausa, District - Buxar.
5. Rajbali Singh, S/o Late Ganga Prasad Yadav, Resident of Village - Sauwabandh, P.O. - Karhansi, P.S. - Buxar (M), Block - Chousa, District - Buxar.
6. Rambachan Pandey, S/o Late Dawrika Pandey, Resident of Village - Sauwabandh, P.O. - Karhansi, P.S. - Buxar (M), Block - Chousa, District - Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Advocate
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-08-2024 The present writ petition has been filed seeking the following relief:-

“1. That this writ application is being filed on behalf of above named petitioner for issuance of writ in nature of Mandamus/direction/order against Respondent authority to remove encroachment from land bearing Thana No.- 293, Chak Khata No.82, Chak Plot No.164 area-0.86 acre, District-Buxar.”

2. At the outset, the learned counsel for the respondent-State, by referring to paragraphs no.5 and 6 of the counter affidavit



filed in the preset case submits that though an encroachment case bearing Encroachment Case No.09 of 2022-23 was initiated by the Circle Officer, Chausa, District-Buxar against the private respondents no.5 and 6, however, it has transpired, subsequently that they have filed a title suit bearing Title Suit No.549 of 2023, which is pending adjudication before the learned Court of Munsif-I, Buxar and vide orders dated 01.09.2023 and 12.12.2023, the learned Trial Court has passed an order, directing the parties to maintain status quo qua the land in question, hence it is submitted that the State respondent are not proceeding further with the aforesaid encroachment proceedings.

3. Considering the aforesaid facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition, while granting liberty to the petitioner to approach the learned Trial Court, for the purpose of intervening in the aforesaid title suit, if so advised.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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