

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20534 of 2018

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Guriya Devi W/o Saroj Kumar, R/o Village- Jeev Rakhan Tola, P.S.- Maner,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The City Superintendent of Police, Patna.
5. The Sub- Divisional Officer, Danapur, Patna.
6. The Circle Officer, Maner, Patna.
7. The Station House Officer, P.S. Maner, District- Patna.
8. Executive Engineer, Road Construction Department, West Road Division, R. Block, Patna.
9. Assistant Engineer, Road Construction Department, West Road Division, R. Block, Patna.
10. Junior Engineer, Road Construction Department, West Road Division, R. Block, Patna.
11. Executive Engineer, Water Resource Department, Vishwesharaiya Bhawan, Patna.
12. Assistant Engineer, Water Resource Department, Vishwesharaiya Bhawan, Patna.
13. Junior Engineer, Water Resource Department, Vishwesharaiya Bhawan, Patna.
14. Radhe Rai, fathers name not known to the petitioner, R/o Village- Jeev Rakhan Tola, P.S. Maner, District Patna.
15. Sunil Rai, S/o Radhe Rai R/o, Village- Jeev Rakhan Tola, P.S. Maner, District Patna.
16. Bachchu Rai, S/o Radhe Rai, R/o Village- Jeev Rakhan Tola, P.S. Maner, District Patna.
17. Anil Rai, S/o Radhe Rai, R/o Village- Jeev Rakhan Tola, P.S. Maner, District Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bishnu Kant Dubey, Adv.
For the Respondent/s : Mr.Sudhir Kr. Upadhyay, AC to GP-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER



2 10-07-2024

1. The present writ petition has been filed seeking the following relief(s):-

“1. That this is an application for issuance of a writ in the nature of Mandamus directing and commanding the respondents to remove encroachment over the land bearing Khesra No. 1306 and 575 situated at Jeev Rakhan Tola Colony which is land of Irrigation Department and Road Construction Department over which in the garb of installation of statue of Rashtrapita Mahatma Gandhi and construction of temple already encroachment has been made and to stop the ongoing encroachment since again attempt is being made to encroach the public land in the name of construction of Vishwakarma Mandir which land is of canal and chat/flank of canal of the Irrigation Department and road of Road Construction Department.”

2. At the outset, the learned counsel for the respondent-State submits by referring to paragraph no.13 of the counter affidavit filed in the present case that the encroachment from the land in question has already stood removed, hence the present writ petition has been rendered infructuous.

3. This Court finds that the aforesaid stand of the respondent-State has not been controverted by the petitioner inasmuch as no rejoinder affidavit has been filed.



4. Having regard to the stand taken by the respondent-State in the counter affidavit filed in the present case, this Court finds that no lis survives for consideration, hence the present writ petition stands dismissed.

(Mohit Kumar Shah, J)

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