

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5157 of 2024

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Ramashankar Singh Yadav son of Late Phojdar Yadav, resident of Village-Chakarahasi (Varahasichak), Post-Pandeypatti, P.S. Buxar (M), District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue, Government of Bihar, Patna.
2. The Collector, Buxar.
3. The Additional Collector, Buxar.
4. The S.D.O. Buxar.
5. The Circle Officer, Buxar.
6. Ram Bihari Upadhyay, son of Late Tribhuwan Upadhyay, resident of Village-Chakarahsi, P.O.-Pandeypatti, P.S. Buxar (M), District-Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prinsh Ranjan, Adv.
For the Respondent/s : Mr. Sunil Kumar Mandal, SC-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-07-2024 The present writ petition has been filed seeking the following relief:-

“1. That the petitioner by this writ application has been filed for issuance of writ/writs, order/orders, direction/directions for order / direction on the basis of Encroachment Case No.93/2023 nature of mandamus and directing the Respondent Authorities to remove the encroachment from the land bearing Khata no. 203, Plot No. 378 ad-measuring an area -35' length 3' height & encroach 3' an area 4 decimal situated at mauza Chakrahasi Rahsichak) under



Block-Buxar in the District- Bxar, but the Circle Officer not take any action follow the order dated 22/08/2023 of D.M., Buxar in Encroachment Case No. 2 of 2023-24.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to intervene in the title suit, filed by the Respondent No. 6, i.e. the one bearing Title Suit No. 296 of 2022, pending before the learned Court of Sub-Judge VII, Gopalganj. Liberty, so sought, is granted, however, the Ld. Trial Court shall take an independent view of the matter, in accordance with law, as and when appropriate petition is filed by the petitioner.
3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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