

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.358 of 2020

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Ram Sewak Thakur Son of late Shree Thakur, Resident of Village- Kariyan,
P.O. Kariyan, P.S. Rosera, District- Samastipur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Revenue Department, Bihar, Patna
2. The Collector Cum District Magistrate, Samastipur
3. The Additional Collector, Samastipur Cum First Appellate Authority.
4. The Sub- Divisional Officer Cum Sub- Divisional Public Grievances Redressal Officer, Rosera, Samastipur.
5. Circle Officer, Shivajee Nagar, Samastipur
6. Shree Ramanand Pathak, Son of late Mukti Nath Pathak, Vill and P.O. Kariyan, P.S. Rosera, District- Samastipur, Bihar.
7. Girijanand Pathak, Son of late Rudra Narayan Pathak, Village and P.O.- Kariyan, P.S. Rosera, District- Samastipur, Bihar.
8. Gangesh Pathak, Son of late Chandra Narayan Pathak, Vill and P.O. Kariyan, P.S. Rosera, District- Samastipur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Advocate
For the respondent no.8 : Mr. Bhavesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-10-2024 Though the present writ petition has been filed for removal of encroachment made by the private respondents over the public land, appertaining to Thana No.43, R.S., Kheshra No.9607, 9608, 9610 & 9624, Khata No.2855, situated at village-Kariyan, Circle-Shivajee Nagar, Sub-Divison-Rosera, District-Samastipur, however, at the outset, it is submitted by the respondent-State by referring to the counter affidavit filed in



the present case that a title suit bearing Title Suit No.125 of 2018, is pending consideration before the learned Court of Munsiff, Rosera wherein an order dated 05.03.2022 has been passed, directing the parties to maintain status quo, hence the encroachment proceedings in question are not being proceeded with at the moment, however, as soon as either the aforesaid order of status quo dated 05.03.2022 is vacated or the said Title Suit No.125 of 2018 is disposed off, needful action would definitely be taken, forthwith.

2. Having regard to the facts and circumstances of the case and considering the stand taken by the respondent-State, as aforesaid, I deem it fit and proper to dispose off the present writ petition with a direction to the respondent-State to take appropriate steps immediately upon either vacation of the aforesaid order of status quo dated 05.03.2022 or disposal of the aforesaid Title Suit No.125 of 2018, whichever is earlier.

(Mohit Kumar Shah, J)

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