

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.21969 of 2014**

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1. Munna Pandit and Anr Son of Arjun Pandit
2. Chintu Pandit Son of Jagdish Pandit Both are resident of Village - Akbarpur Sonepur, P.S -O.P. Sonepur Hariharnath Mandir, Sonepur, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate , Saran at Chapra.
3. The Sub-Divisional Officer, Sonepur, Saran
4. Circle Officer, Sonepur at Saran.
5. Narayan Shah Son of Late Sharyug Shah
6. Ravindra Shah Son of Late Bhagwan Shah Both are resident of Village - Meena Bazar, P.S -O.P. Sonepur Hariharnath Mandir, Sonepur, District - Saran at Chapra.

... .. Respondent/s

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**Appearance :**

|                              |   |                                       |
|------------------------------|---|---------------------------------------|
| For the Petitioner/s         | : | Mr. Rajesh Kumar, Advocate            |
| For the State                | : | Mr. Raghwanand, GA-11                 |
|                              | : | Mr. Rajnish Shandilya, AC to GA-11    |
| For the private respondents: | : | Mr. Surendra Kishore Thakur, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL JUDGMENT**

**Date : 13-02-2025**

Heard Mr. Rajesh Kumar, learned counsel for the petitioners, Mr. Raghwanand, learned GA-11 for the State as well as Mr. Surendra Kishore Thakur, learned counsel appearing on behalf of the private respondents.

2. The present writ petition has been filed for directions upon the respondent to remove the encroachment over the land of the petitioners and adjacent land.

3. Learned counsel for the petitioners submits that land in question was mutated in favour of the ancestors of the petitioners and rent receipt also issued in their favour. All of sudden, some of the



private persons have encroached over the land in question.

4. A counter affidavit has been filed on behalf of the respondent-State sworn by the Circle Officer, Sonapur at Saran (respondent no.4) in which he has accepted that there was encroachment over the land in question and after receiving the report from the local authority and after receiving the instructions from the higher authority, the respondent no.4 has removed the encroachment over the land in question and handed over the land ad-measuring of 1 katha and 4 dhur to the petitioners and also removed the encroachment from the path which was situated on the southern part of the house.

5. In view of the stand taken by the State respondents in their counter affidavit that the land in question has been handed over to the petitioners and petitioners have not filed any rejoinder to the counter affidavit which suggests that the grievance of the petitioners has been redressed.

6. In view of the aforesaid, the writ petition stands disposed of.

**(Rajesh Kumar Verma, J)**

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| AFR/NAFR          | NAFR       |
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