

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16575 of 2023

Satyadeo Chaudhary Son of Ramprasad Chaudhary @ Ramprasad Yadav,
Resident of Village- Bhusi, P.S.- Drounda, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Addl. Collector, Siwan.
4. The District Land Acquisition Officer, Siwan.
5. The Deputy Collector Land Reforms, Maharajganj, Siwan.
6. The Circle Officer, Drounda, Siwan.
7. The Circle Amin, Drounda, Siwan.
8. The Revenue Karamchari, Drounda, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar
For the Respondent/s : AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-02-2025 1. Heard learned counsel for the petitioner and learned
AC to AAG-12.

2. The learned AC to AAG-12, at the outset, submits that perhaps the petitioner has rushed to this Court based on apprehension, it is submitted that the Land Encroachment Case No. 29 of 2023-24 has been instituted by the Circle Officer, Drounda, Siwan against the petitioner and the same is pending adjudication as no final order till date has been passed. It is further submitted that from perusal of the pleadings made in the writ application, it also manifests that the Circle Officer has recommended for cancelling the *Jamabandi* standing in the name of the petitioner, but then till date no *Jamabandi* cancellation case has been instituted.

3. The learned State counsel further submits that until



and unless the encroachment case is finally decided, no coercive action shall be taken against the petitioner.

4. The learned counsel appearing on behalf of the petitioner also fairly submits that the final order in the encroachment case till date has not been passed, but then petitioner is being threatened with demolition of his shop, on which the learned counsel appearing on behalf of the State submits that until and unless the encroachment case is finally decided, the authorities will not take any coercive action against the petitioner.

5. Considering the submission made by the learned counsel appearing on behalf of the State, the writ application appears to be premature as the same has been filed based on apprehension.

6. However, the Court expects that the Circle Officer, Drounda, Siwan shall not take any coercive steps against the petitioner until and unless the encroachment case is finally decided.

7. The writ application is disposed of.

(Satyavrat Verma, J)

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