

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3167 of 2025

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Ramrit Rai Son of Rajbalam Rai @ Late Rajbalam Rai, Resident of Village-
Lejuar, P.O.- Daudpur, P.S.- Daudpur, District- Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Saran (Chapra).
3. The Circle Officer, Manjhi, Saran (Chapra).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Rai, Advocate
For the Respondent/s	:	Mr. Government Advocate (13)
		Mr. Rajeev Shekhar, AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*(I) For issuance of a writ in the nature of
mandamus and any other appropriate writ/writs,
order/orders, direction/directions and commanding
the Respondents / Authorities to not interfere the
peaceful possession regarding residential
house/land, which is small part of the Plot No.
1403 under Khata No. 130, area- 53 feet length
and 30 feet width Mauza- Lejuar, P.S.- Daudpur,
District-Saran (Chapra) belongs to possession of
the ancestor of the petitioner since survey times,
which is recorded in possession in the name of
ancestors of the petitioner on the basis of ZAR
PESAGEDAR/BHAOLI as BATAI.*



(II). For issuance of a writ in the nature of certiorari for quash the notice dated 05.06.2024 issued by the Circle Officer, Manjhi, Saran at C'hapra (herein Respondent No. 3) relates to encroachment Case No. 11 of 2023-24 to the petitioner for 53 feet length and 30 feet width in public land constructed two stories pacca house appertaining to Plot No. 1403 under Khata No. 130 Mauza-Lejuar, P.S. -Daudpur, District- Saran (Chapra).

3. Learned counsel for the State, by referring to the statement made in paragraph 8 of the counter affidavit filed on behalf of respondent Nos.2 and 3, submits that encroachment proceeding vide Encroachment Case No.11 of 2023-24 has already been stayed and the the submissions so made is reproduced hereunder :-

“That considering the facts given in the above noted paragraphs it is crystal clear that on the light of order dated 19.07.2021 passed by the Hon’ble encroachment case no. 11/2023-24 was initiated and accordingly proceeding was going on but when the relevant fact/s regarding claim of the petitioner has come in the knowledge of the Circle Officer, Manjhi encroachment proceeding has been stayed against him as mentioned above. Therefore, at this stage this writ application has lost its relevance and now no interference is being done in the possession of the petitioner therefore, the present writ application is fit to be dismissed as having become infructuous.

4. Learned counsel for the petitioner submits that nothing survives for adjudication and the matter may be



disposed of in the above terms.

5. In view of the stand taken by the respondent-State in the counter affidavit indicated aforesaid, the writ petition is accordingly disposed of.

(Ajit Kumar, J)

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