

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14026 of 2019

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Rajia Devi W/o Satyendra Saw @ Satendra Saw Vill.- Shivpur Dihri, P.O.-
Deoria Kala, P.s.- Fesar, Block- Aurangabad, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
2. The Principal Secretary Department of Revenue and Land Reforms, Govt. of Bihar, Patna
3. The District Magistrate-cum-Collector Aurangabad, Bihar
4. The Sub-Divisional Magistrate Aurangabad, Bihar
5. The Circle Officer Aurangabad, Block- Aurangabad, Distt.- Aurangabad
6. Ashok Mahto @ Ashok Mehta S/o Nageshwar Mahto @ Nageshwar Mehta Vill.- Shivpur Dehri, P.s.- Fesar, Block- Aurangabad, Distt.- Aurangabad, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Sanjana, Advocate
For the Respondent/s : Mr. Dhurjati Kr. Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 07-01-2026 Heard Mrs. Alka Singh, learned counsel for the

petitioner and Mr. Dhurjati Kr. Prasad, GP-14.

2. The present petition has been preferred for the
following relief(s):

*“preferred for issuance of an
appropriate writ preferably in the nature of
'Mandamus' Commanding upon the Respondent
authorities to pass final order in Measurement
Case No.5/16-17 presently pending in the Court of*



Circle Officer, Aurangabad and there upon to demarked the land of the petitioner appertaining to Khata No.46, Khesra No. 240 Thana Shivpur, Dehari, Thana No.283, Area 0.03 Decimal.

Further it is for grant of any other relief (s) for which the petitioner may be found entitled ot in the facts and circumstances of the case.”

3. A counter-affidavit has come on behalf of the respondent no. 5, the Circle Officer, Aurangabad and learned State counsel has taken this Court to paragraph no. 9 to show that after the initiation of Measurement Case No. 05 of 2016-17, Encroachment Proceeding No. 28/2016-17 was initiated which followed removal of encroachment as against respondent no. 6, Ashok Mahto @ Ashok Mehta and the Khata no. 46, Plot no. 240 of Mauja Shivpur, Dehari has been made encroachment free. The counter-affidavit further shows that the petitioner has acknowledged the removal of encroachment on 08.07.2017 by putting in her L.T.I.

4. The copy of the counter-affidavit was served upon learned counsel for the petitioner on 16.08.2019 and there is no rebuttal to it.

5. Accepting the State version that the encroachment



has been removed and allowing the petitioner to re-agitate the matter if situation so warrant, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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