

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16182 of 2023**

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1. Nand Lal Pandey Son of Late Jagdish Pandey Resident of 1B, Gourkshni ( Gajrarh) ward no 4/13 P.S. Sasaram District -Rohtas.
2. Rajiv Kumar Pandey Son of Nand Lal Pandey Resident of 1B, Gourkshni ( Gajrarh) ward no 4/13 P.S. Sasaram District -Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Collector, Rohtas.
2. The Nagar Commissioner, Nagar Nigam, Sasaram District Rohtas.
3. Rmesh Singh Son of Ram Lakhan singh ward no 4/13 Gajaradh P.S Sasaram District Rohtas.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Arabind Nath Pandey, Advocate    |
| For the Respondent/s | : | Mr. Yogendra Pd. Sinha, AAG-7        |
| For the Resp. No. 2  | : | Mr. Bajarangi Lal, Advocate          |
| For the Pvt. Resp.   | : | Mr. Dharmendra Kumar Singh, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      23-07-2026                      Heard Mr. Arabind Nath Pandey, learned counsel for the petitioner, Mr. Bajarangi Lal, learned counsel for the respondent no. 2, Mr. Dharmendra Kumar Singh, learned counsel for the respondent no. 3 beside the State.

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

*“for issuance of an appropriate writ order or direction including writ in the nature of certiorari for quashing the order dated 22.8.2023 passed in encroachment case no 05/2023-24 including the notice vide letter bearing no 2983 dated 16.09.2023 issued by the Nagar Commissioner, Nagar Nigam, Sasaram, by which a direction has been issued to*



*remove the encroachment within 15 days and further  
for grant other relief as the petitioners are found  
entitled to.”*

3. At the outset, learned counsel for the Municipal Corporation, Sasaram submits that already the Title Suit No. 1213 of 2023 (Nand Lal Pandey vs. The Municipal Corporation) has been filed by the petitioner in which way back, on 12.12.2023, interim injunction has been granted. The submission is that now the parallel proceeding is there before the Patna High Court.

4. Learned counsel for the petitioners submit that they be given liberty to raise all the points before the competent Civil Court where the aforesaid case is pending.

5. Said liberty is always there and whatever protection they want, appropriate petition can be filed after service of copy to the other side.

6. The writ petition stands disposed of with the aforesaid observation.

**(Rajiv Roy, J)**

Adnan/-

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