

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3690 of 2023

In
Civil Writ Jurisdiction Case No.2302 of 2023

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Mohammad Naseem Khan Son of Mohammad Kalim Khan Resident of -9B, Gound Floor, Haji Mohammad Ebrahim Chawl, Sant Kakkaya Marg, Kuttiwadi, Dharavi X Road, Mumbai, Maharashtra Presently resident of Village- Pathan Toli, Ward No. 09, Massa, P.S.- Jale, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Darbhanga.
2. The Collector, District- Darbhanga.
3. The Addl. Collector, District- Darbhanga.
4. The Sub- Divisional Officer, Sadar, District- Darbhanga.
5. The Circle Officer, Anchal- Jale, District- Darbhanga, namely Rakesh Kumar.
6. The Anchal Amin, Anchal- Jale, District- Darbhanga.
7. Md. Aslam Khan, Son of Late Abdul Rahman Resident of Village and P.O.- Massa, P.S.- Jale, District- Darbhanga.
8. Md. Mazhar Khan, Son of late Abdul Rahman Resident of Village and P.O.- Massa, P.S.- Jale, District- Darbhanga.
9. Md. Mushtaque Khan, Son of Late Abdul Rahman Resident of Village and P.O.- Massa, P.S.- Jale, District- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Adv. Ms. Shabina Talat, Adv.
For the State	:	Mr. Ebadur Rahman Shakeb, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-07-2026 The learned counsel for the opposite parties submits that in pursuance to the judgment of this Court dated 26.07.2023, passed in CWJC No.2302 of 2023, the Circle Officer, Jale, District- Darbhanga had initiated encroachment proceedings, vide Encroachment Case No.12 of 2021-22, however the encroacher had filed a title suit bearing Title Suit



No.36 of 2022 before the learned Court of Sub-Judge-1, Darbhanga and the learned Court of Sub Judge-1, Darbhanga vide order dated 03.06.2022 has directed to maintain status quo over the land in question, hence the Circle Officer, Jale has suspended the encroachment proceedings in question vide order dated 09.06.2022. Thus, it is submitted that the petitioner would be well advised to approach the learned Trial Court in the aforesaid pending title suit in case he has any grievance.

2. In reply, the learned counsel for the petitioner submits that the present petition may be disposed of, however liberty be granted to the petitioner to approach the learned Trial Court, if so advised. Liberty so sought is granted.

3. Accordingly, the present petition stands disposed of.

(Mohit Kumar Shah, J)

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