

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.788 of 2015

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1. Manik Hansda son of late Hopna Hansda resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
 2. Ganesh Hembram son of late Ramka Hembram resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector-cum-District Magistrate, Jamui, District- Jamui.
3. The Additional Collector, Jamui, District- Jamui.
4. The Sub-Divisional Officer, Jamui, District- Jamui.
5. The Circle Officer, Jhajha, District- Jamui.
6. The Block Development Officer, Jhajha, Dietrict - Jamui.
7. The Superintendent of Police, Jamui, District- Jamui.
8. The Officer Incharge, Police Station- Jhajha, District- Jamui.
9. The Mukhiya, Gram Panchayat Raj, Karhara, P.S.- Jhajha, District- Jamui.
10. The Panchyat Secretary, Gram Panchayat Raj, Karhara, P.S.- Jhajha, District- Jamui.
11. Mr. Somara Soren son of late Dhhenas Soren resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
12. Mr. Sukara Hansda son of late Matala Hansda resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
13. Mr. Chatur Soren @ Pajhed Soren son of late Sukara Soren resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
14. Mr. Jhonjha Soren son of late Sukara Soren resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
15. Mr. Nanhaka Soren son of late Sukara Soren resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
16. Mr. Mangu Hembram son of Dhhenas Hembram resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
17. Mr. Dhhenas Hembram son of Late Roya Hembram resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
18. Mr. Chandu Tudum son of late Biswanath Tudum resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
19. Mr. Bandhu Hembram son of late Sukhu Hembram resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
20. Mr. Chunu Hansda son of late Bhola Hansda resident of village- Ukharia, Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
21. Mrs. Dhhenas Kisku wife of Chunu Hansda resident of village- Ukharia,

Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.
22. Mrs. Dighi Devi wife of late Chudka Kisku resident of village- Ukharia,
Gram Panchayat Raj, Karhara, P.O. - Karhara, P.S.- Jhajha, District- Jamui.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Adv.

For the Respondent/s : Mr. Gautam Bose, A.A.G. 8

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 12-03-2015

The petitioner is aggrieved by the action of the respondent Nos. 11 to 22 who have tried to forcibly dispossess the petitioners from their land, the details of which is mentioned in paragraph 4 of the writ petition and which these alleged encroachers claim as their own.

It is the complaint of the petitioners that these persons are also making constructions under the Indira Awas Yojana while making such claims.

Admittedly, the nature of dispute raised in the writ petition is civil in nature and for which the petitioners have their remedy under the civil laws of the land but a writ in such disputed issues of fact is not the proper remedy.

In such circumstances, the writ petition is disposed of with the liberty to the petitioners to take recourse to such other remedy as may be available to them in law.

(Jyoti Saran, J)

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