

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2821 of 2017

1. Etwariya Domin, Wife of Mahendra Malli,
2. Kanhya Malli, Son of Mishri Malli,
3. Chandrajeet Paswan, Son of Sitaram Paswan,
4. Beera Mahto, Son of Mangani Mahto,
5. Chhathi Devi, Wife of Yadu Mahto,
6. Raju Sharma, Son of Late Kamal Sharma,
7. Deep Lal Prasad, Son of Yogendra Sah,
8. Serajul Miyan, Son of Dahari Miyan,
9. Aash Mohamad Miyan, Son of Dahari Miyan,
10. Md. Aslam Miyan, Son of Dahari Miyan,
11. Mobarak Miyan, Son of Mohram Miyan,
12. Subhan Miyan, Son of Mohram Miyan,
13. Roop Narayan Sah, Son of Chhatu Sah,
14. Guddu Kumar Sah, Son of Janardan Prasad,
15. Devendra Prasad Sah, Son of Rambadan Sah,
16. Ashok Kumar Vikram, Son of Pundeo Prasad,
17. Sunil Kumar Mishra, Son of Rameshwar Mishra, All are
Resident of Mohalla - Kolhwarwa, Motihari, Police Station
Motihari Town, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Land Reform Department,
Government of Bihar, Patna
2. The District Magistrate, East Champaran at Motihari
3. The District Development Commissioner, East Champaran at Motihari
4. The Sub Divisional Magistrate, Sadar, East Champaran at Motihari
5. The Chief Executive Officer, District Board, East Champaran at Motihari
6. The District Engineer, District Board, East Champaran at Motihari

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.
For the Respondent/s : Mr. SUBHASH CHANDRA YADAV- GP15



CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-11-2017 Heard learned Counsel appearing on behalf of the petitioners, respondent-State as well as the District Board.

The present Writ application has been filed for a direction to the respondent District Board, East Champaran at Motihari, to settle the shop in favour of the petitioners in which they constructed their shop and paid rent to the District Board and during the pendency of the Writ application to stay the operation of the Notice dated 31.01.2017, as contained in Annexure-3, whereby, the petitioners have been directed to vacate the shop in question, which has been encroached upon by one of the petitioners.

It is submitted by learned Counsel appearing on behalf of the petitioners that they have constructed the shop with the consent of the District Board and they are ready to abide by the terms and conditions, which the District Board wants to be adhered to.

It is submitted by learned Counsel appearing on behalf of the District Board that there is nothing on record to suggest that allotment was made to the petitioners. The petitioners have also not represented before the District Board. However, they may file a representation, which would be



considered by the District Board.

In view of the present stand of the District Board, the Writ application is disposed of with a liberty to the petitioner to represent before the District Board, East Champaran at Motihari within a period of four weeks and the same will be considered and disposed of with a reasoned order within a period of six weeks thereafter.

(Dinesh Kumar Singh, J)

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