

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11216 of 2013

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1. Sant Bilash Singh
 2. Ram Pujan Singh
 3. Krishna Kant Singh
 4. Parshuram Singh Sikriwal

All Sons of late Bindeshwari Singh and Residents of Village+P.O.- Pawani,
P.S. Nasriganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Revenue abd Land Reforms Department,
Government of Bihar, Patna.
3. The District Magistrate, Rohtas.
4. The SDO, Bikramganj, Rohtas.
5. The Circle Officer, Nasriganj, Rohtas.
6. The BDO, Nasriganj, Rohtas.
7. The Officer-In-Charge, Nasriganj Police Station, Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Narayan Singh, Adv.
For the State : Mr. Nishant Kumar, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 11-08-2017 Heard Mr. Rakesh Narayan Singh, learned Counsel

appearing on behalf of the petitioners and Mr. Nishant Kumar

learned AC to SC-28 appearing on behalf of the respondents.

Initially, the present writ application was filed by one

Bhagmano Devi. Since, she died on 21.05.2013, her legal heirs



were directed to be substituted, vide order dated 17.07.2017.

The present writ application has been filed for a direction to the respondent authorities to protect the landed property of the petitioners and to provide adequate security, in view of the fact that the petitioners are under threat of being dispossessed from their ancestral property at the hands of the Maoists.

It is submitted by learned Counsel appearing on behalf of the petitioners that the original petitioner Bhagmano Devi was a 80 year old widow, residing at Village –Pawani, Circle –Nasriganj, District-Rohtas, but she was under threat of being dispossessed at the hand of the Maoists. The respondent no.4, SDO, Bikramganj, initiated a proceeding being Case No. 171/2010 and for the time being, she got some relief from the situation, but thereafter, she again came under constant threat. Thereafter, the original petitioner filed a representation before respondent no.3, the District Magistrate, Rohtas, SDO, Bikramganj and other officials on 13.04.2013, as contained in Annexure-3, to remove the encroachment from the ancestral land of the petitioner.

Since the writ application was registered on 17.06.2013, but till date no counter affidavit has been filed, this Court is not inclined to adjourn the matter any further.



Accordingly, the writ application is disposed of with a direction to the petitioners to file appropriate application before Respondent No.3, the District Magistrate, Rohtas, within a period of three weeks, who will take needful action in accordance with law within a period of six weeks thereafter.

(Dinesh Kumar Singh, J)

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