

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5867 of 2017

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Ram Niwas Paswan @ Ram Niwas Hajra, Son of Late Lal Kishun Paswan @
Lal Kishun Hajra, Resident of Village- Mahadeva, Police Station- Raxaul,
District- East Champaran (Motihari).

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue Department,
Govt. of Bihar, Patna.
2. The Collector, East Champaran, Motihari.
3. The Additional Collector, East Champaran, Motihari.
4. The Sub Divisional Officer, Raxaul, District East Champaran, Motihari.
5. The Deputy Collector Land Reforms Raxaul, District- East Champaran,
Motihari.
6. The Circle Officer, Raxaul, District East Champaran, Motihari.
7. Birendra Patel, Son of Late Basudeo Patel.
8. Ashok Patel, Son of Late Kanchha Patel. null
9. Ramjee Patel, Son of Late Kishun Patel.
10. Birendra Patel, Son of Late Ramashray Patel.
11. Gaya Patel, Son of Late Kalik Patel.
12. Kabilesh Patel, Son of Late Jagan Patel.
13. Bharat Patel, Son of Late Yado Lal Patel.
14. Narad Patel, Son of Late Yado Lal Patel.
15. Binod Patel, son of Late Kailash Patel.
16. Prem Patel, Son of Late Baldeo Patel.
17. Surendra Pathak, Son of Late Kamal Pathak.
18. Bira Yadav, Son of Late Banti Yadav.
19. Hari Narayan Yadav, Son of Late Lal Bahadur Yadav.
20. Hira Lal Yadav, son of Late Banshi Yadav, No. 7 to 20 are Resident of Village-
Sahdeva, Police Station- Raxaul, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.
For the Respondent/s : Mr. SAJID SALIM KHAN- SC25

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-01-2018 Heard learned Counsels appearing on behalf of the
petitioner and the respondent-State.

The petitioner is aggrieved with the encroachment over the
land measuring an area of 10 decimals of Plot No.722/2, an area
of 20 decimals of Plot No.675/1 and an area of 50 decimals of



Plot No.675/2, under Khata No.5, situated in Mauza-Noneyadih,
Tola- Sahdeva, Circle-Raxaul, District-East Champaran

It is submitted by learned Counsel for the petitioner that the lands were settled in favour of the father of the petitioner and aunt of the petitioner, and thereafter, Jamabandi was created in their favour, but subsequently, it has been encroached upon by the private respondents.

It appears that for the same cause of action the petitioner filed a Case No. 62 of 2013 under the Bihar Land Disputes Resolution Act, 2009, which has been decided by the DCLR, Raxaul, vide order dated 22.08.2013, directing the respondent no.6, the Circle Officer, Raxaul, to examine the settlement records, settlement map and thereafter take action as per the law.

However, it is submitted by learned Sr. Counsel for the petitioner that the petitioner also got initiated a proceeding under Section 144 of the Cr. P.C. with regard to the land in question.

In view of the fact that the petitioner has availed the appropriate remedy and order has been passed by the DCLR, Raxaul, the Writ application is disposed of with liberty to the petitioner to take recourse before the appropriate forum for redressal of his grievance.



The Writ application is, accordingly, disposed of with the liberty aforementioned.

(Dinesh Kumar Singh, J)

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