

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19236 of 2017

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Chandrabali Ram, Son of Late Viran Ram, resident of Village- Dharhara, P.S.-
Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue & Land Reforms Department, Govt. of Bihar, Patna.
2. The Commissioner, Saran at Chapra.
3. The District Magistrate-cum- Collector, Siwan.
4. The Sub Divisional Officer, Siwan Sadar, Siwan.
5. The Circle Officer, Mairwa, District- Siwan.
6. Hare Ram Yadav
7. Rajendra Yadav
8. Rudal Yadav All Sons of Late Vishwanath Raut,
9. Manager Chaudhary
10. Hari Yadav Both Sons of Late Jagarnath Chaudhary, Respondent No. 6 to 10 are Resident of Village- Dharhara, P.S.- Mairwa, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Respondent/s : Mrs. Archana Prasad, A.C. to S.C.-19

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 Heard the parties.

Following relief has been sought for in paragraph 1
the present application on behalf of the petitioner:

“That this is an application on behalf of the petitioner for
issuance of appropriate writ/writs, order/orders,
direction/directions for commanding the respondent authorities
especially Respondent No. 3 to remove the encroachment made
by the private respondents on the settled homestead land of



petitioner in pursuance of general directions/guidelines issued by the Respondent No. 1 vide Memo No. 35(C) dated 08.01.2015 under operation delivery of possession whereby all the District Magistrates were directed to take steps for restoration of possession of all dispossessed of mahadalit family in case of their forceful/unauthorised/unlawful dispossession from the land settled to them.”

Counsel for the petitioner submits that the petitioner belongs to the weaker sections and in his favour land was settled as a homestead land by the respondents. The private respondent Nos. 6 to 10 have encroached upon the land in question. The petitioner had filed a representation before the Circle Officer, Mairwa, Siwan (respondent no. 5) vide Annexure-P/4 to the writ application for redressal of his grievance. The said representation of the petitioner is still pending. The State Government vide Memo No. 764 dated 10.12.2014 had issued a general direction for the protection of persons belonging to such weaker section like as petitioner.

The Circle Officer, Mairwa, Siwan (respondent no. 5) is directed to dispose of the said representation of the petitioner within a period of three months from the date of receipt/production of a copy of this order, if not disposed of yet.



With the aforesaid observation/direction, the present
writ application stands disposed of.

(Sudhir Singh, J)

Pankaj/-

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