

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8398 of 2018

Chinta Devi, Wife of Harendra Pandey, Resident of Village- Shyampur, P.S.
+P.O.- Adapur, District- East Champaran, Motihari.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue Land Reform Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate/Collector, East Champaran, Motihari.
4. The Sub Divisional Officer, Raxaul, East Champaran, Motihari.
5. The Circle Officer, Adapur, East Champaran, Motihari.
6. Ram Bhajan Patel, Son of Yamuna Rawat
7. Ratan Patel, Son of Yamuna Rawat
8. Bhagirat Sah, Son of Indradeo Sah
9. Surendra Patel, Son of Ganga Rawat
10. Indrajeet Patel, Son of Dasai Rawat
11. Yogendra Patel, Son of Dasai Rawat
12. Nagendra Patel, Son of Dasai Rawat
13. Rajendra Patel, Son of Iswari Rawat
14. Birendra Patel, Son of Santan Patel All are Resident of Village- Shyampur, P.S. +P.S.- Adapur, District- East Champaran, Motihari.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Respondent/s : Mr. Subhash Chandra Yadav -GP15

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 16-05-2018

Heard Mr. Sharda Nand Mishra, learned counsel for the petitioner and learned AC to GP-15 for the Respondent-State.

Though, the present writ application was registered on 30.04.2018, but in view of the nature of order this Court intends to pass, this Court is neither inclined to adjourn the matter any further nor is inclined to issue notice to private Respondent Nos. 6 to 14.

The present writ application has been filed for a direction to the respondent authorities to get the encroachment removed from



the raiyati land of the petitioner, appertaining to Thana No. 107, Khata No 155, Plot No. 277, which has been encroached upon by private Respondent Nos. 6 to 14.

It is submitted by learned counsel for the petitioner that the petitioner got the land from one Rampati Kunwar, who was the maternal grand-mother of the petitioner.

Since admittedly the land in question is the raiyati land of the petitioner and the same has been encroached upon by private Respondent Nos. 6 to 14, the present writ application is not maintainable before this court as the issue raised herein can not be decided without leading of proper evidence in a proper constituted suit before the competent Civil Court.

Accordingly, this writ application is disposed of with a liberty to the petitioner to seek remedy before appropriate forum.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	22.05.2018
Transmission Date	

