

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1027 of 2019

1. Rameshwar Sah, S/O Late Bhagelu Sah.
2. Shakti Nath Prasad, S/O Late Jhotil Prasad. Both residents of Village-Tikachhapar (Tirhutiya Tole), P.O.-Brindaban, P.S. Chanpatiya, District-West Champaran.

... .. Petitioners

Versus

1. The State of Bihar through Secretary, Revenue, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, West Champaran at Bettiah.
3. The Additional Collector, West Champaran at Bettiah.
4. The Sub-Divisional Officer, Bettiah, West Champaran.
5. The Superintendent of Police, West Champaran at Bettiah.
6. The Land Reforms Deputy Collector, Bettiah (W.Champaran), West Champaran.
7. The Circle Officer, Chanpatiya, District-West Champaran.
8. The Officer-in-Charge, Chanpatiya, P.S. West Champaran.
9. Pramod Sah, Son of Jayram Sah.
10. Dharmendra Sah, Son of Late Gaya Sah.
11. Prabhu Sah, Son of Jayram Sah.
12. Bagur Sah, S/O Chhedi Sah.
13. Devendra Sah, S/O Late Satya Narayan Sah.
14. Achhelal Sah.
15. Chhotelal Sah.
16. Jogi Sah. All sons of Late Kachhuman Sah. Respondent nos. 9 to 16 are residents of Village-Tikachhapar (Tirhutiya Tole), P.S. and Anchal -Chanpatiya, P.O. Brindaban Ashram, District-West Champaran. PIN -845450.

... .. Respondents

Appearance :

For the Petitioners	:	Mr.Aditya Nath Jha, Advocate.
For the Respondents	:	Mr.Raj Kishore Roy- G.P. 18.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioners and learned counsel for the respondents.

The following relief has been sought for by the petitioners in the present writ application.

“That this application is being filed



for issuance of an appropriate writ/writs, commanding/directing respondents to remove the encroachment made by different persons including private respondents upon Government land bearing Khata No. 112, Khesra No. 997, Area 05 Katha 08 Dhur situated in Village- Tikachhapar (Tirhutiya Tole) being used as Aam Rasta by people of the Village including petitioners.”

It has been submitted by learned counsel for the petitioners that an enquiry was made in respect of Khata No. 112, Khesra No. 997, Area 05 Kathas 08 Dhurs situated at Village-Tikachhapar (Tirhutiya Tole). The said land in question was found to be public land as per enquiry report. An enquiry was also conducted by the respondent no. 7 The Circle Officer, Chanpatiya, West Champaran. Thereafter, notices were issued upon the private respondents. They did not appear. A title suit was also filed by the private respondents. The said title suit was also dismissed which is evident from Annexure-6 to the present writ application.

Considering the relief sought for on behalf of the petitioners, the petitioners are directed to file a detail representation before the respondent no. 2 The Collector-cum-District Magistrate, West Champaran at Bettiah within a period of thirty days from today. The respondent no. 2 The Collector-



cum-District Magistrate, West Champaran at Bettiah shall consider the representation of the petitioners giving an adequate opportunity to all concerned parties and making necessary enquiry, and pass an appropriate order within a period of three months from the date of filing of such representation.

With the aforesaid observations and directions, the present writ application stands disposed of.

(Sudhir Singh, J)

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