

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22257 of 2019

1. Sri Suresh Raut Son of Late Munna Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
2. Lal Babu Prasad Son of Chirkut Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
3. Birbal Prasad Son of Ganesh Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
4. Sudhir Prasad Son of Harendra Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
5. LalBabu @ Sanjay Kumar Prasad Son of Devnandan Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
6. Madan Gupta Son of Bachhu Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
7. Asgar Kuraishi Son Jawar Kuraishi Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
8. Sharma Sharan Prasad Son of Bechhu Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
9. Malik @ Ankur Kumar Son of Rajeshwer Pandey Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
10. Munna Prasad Son of Bechhu Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
11. Vijay Kumar Son of Late Vaidhyannanth Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
12. Faudi Sahani Son of Srichan Sahani Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
13. Kripakant Singh Son of Sudish Singh Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
14. Krishna Singh Son of Vikram Singh Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
15. Ramchandra Prasad Son of Late Ramlagan Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
16. Sukhal Raut Son of Uma Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
17. Bhagwan Prasad Son of Ram Bahadur Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
18. Rita Pandey Sunil Pandey Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
19. Vipendra Singh @ Jitendra Kumar Singh Son of Jai Narayan Singh Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
20. Rakesh Kumar Son of Late Vyas Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.



21. Sanjay Yadav Son of Ramdeo Yadav Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
22. Mantu Prasad Son of Mahavir Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
23. Dhiraj Kumar Tiwari Son of Prabhunath Tiwari Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
24. Krishna Patel Son of Late Kapildeo Patel Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
25. Raju Kumar Son of Sitaram Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
26. Rita Devi Wife of Chandrika Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
27. Azmeri Khatoon Son of Murtuza Kuraishi Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
28. Pramod Sah Son of Udhav Gupta Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
29. Mannu Kumar Son of Binda Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
30. Anjani Kumar Chaubey Son of Mulendra Chaubey Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
31. Gaudam Devi Wife of Late Mahesh Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
32. Serajul Mian @ Serajun Mian Son of Late Mainuddin Miyan Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
33. Manjesh Kumar Tiwari Son of Late Rambalak Tiwari Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
34. Sita Ram Mishra Son of Laxhmi Mishra Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
35. Saroj Devi Wife of Shaileshmani Pandey Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
36. Sanjay Kumar Mishra Son of Sita Ram Mishra Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
37. Virendra Prasad Son of Rajeshwer Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
38. Rajendra Prasad Son of Gopaljee Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
39. Munna Pandey Son of Jivnarayan Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
40. Dhanjay Dubey Son of Krishna Dubay Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
41. Suresh Prasad @ Shambhu Prasad @ Surendra Prasad Son of Ramchandra Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.



42. Hasina Khatoon Wife of Md. Anil Ansari Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
43. Bhola Raut Son of Vashi Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
44. Anand Prasad @ Anand Kumar Son of Rambabu Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
45. Mukesh Raut Son of Surendra Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
46. Anita Devi Wife of Ashok Kumar Mahto Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
47. Sujeet Kumar Gupta Son of Jwahar Lal Gupta Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
48. Manoj Prasad Son of Mohan Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
49. Shobha Devi Yogendra Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
50. Ravindra Prasad Son of Ghanshyam Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
51. Jitendra Kumar Son of Ravindra Kumar Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
52. Om Prakash Barnwal Son of Kapildeo Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
53. Om Prakash Prasad Son of Bhikhan Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
54. Baby Devi Wife of Sunil Kumar Rai Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
55. Nitu Devi Wife of Santosh Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
56. Indal Mahot Son of Sagar Mahto Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
57. Manager Mahto Son of Lochan Mahto Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
58. Vijay Singh Son of Satyadeo Rao Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
59. Vibhuti Bhushan Pandey Son of Sri Vinodanand Pandey Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
60. Kiran Devi Wife of Surendra Chaubey Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
61. Ajay Yadav Son of Suresh Yadav Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
62. Sipahi Yadav Son of Harendra Yadav Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
63. Bindeshwari Prasad Son of Hikayat Mahto Resident of Village-



Navrangabag, P.S.- Bettiah, District- West Champaran.

64. Umrawati Devi Wife of Raju Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
65. Mukesh Giri Son of Vyas Giri Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
66. Krishna Patel Son of Kapildeo Patel Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
67. Nathuni Sah Son of Parna Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
68. Amar Ram Son of Hariher Ram Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
69. Noorjahan Khatoon Wife of Jawar Kuraishi Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
70. Yogi Raut Son of Ramsevak Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
71. Dhruv Prasad @ Dhrup Raut Son of Deodhari Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
72. Brij Kishore Bhagat Son of Dhuri Bhagat Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
73. Most. Rampati Devi Wife of Hira Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
74. Uma Devi Wife of Mednath Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
75. Channu Raut Son of Janak Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
76. Guddu Raut Son of Late Muwaali Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
77. Most. Kalawati Devi Wife of Sukdeo Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
78. Most. Premi Wife of Late Yogendra Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
79. Ramchandra Raut Son of Bunni Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
80. Sunil Kumar Son of Rajendra Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
81. Parmeshwar Sah Son of Nathuni Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
82. Garbhu Raut Son of Ramchandra Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
83. Umashankar Ram Son of Liladhar Rai Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
84. Faujdar Prasad Son of Ramchandra Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.



85. Mohan Ram Mester Son of Bachha Ram Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
86. Abhishek Kumar Singh Son of Vijay Kumar Singh Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
87. Arjun Prasad Son of Raghunath Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
88. Keshwar Prasad Son of Shiv Prasad Mahto Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
89. Ranju Devi Wife of Late Bishun Singh Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
90. Shriram Prasad Son of Late Phagu Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
91. LalBabu Ram Son of Janki Ram Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
92. Bihari Raut Son of Sarug Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
93. Rajesh Singh Son of Rambalak Singh Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
94. Kameshwar Prasad Son of Sukhen Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
95. Sujeet Kumar @ Ajeet Son of Jaipal Ram Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
96. Kumar @ Manjeet Kumar Son of Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
97. Aalka Sahu Son of Rajendra Sahu Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
98. Mantu Rao Son of Harishankar Rao Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
99. Arvindra Rao Son of Raghuwer Rao Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
100. Sanjay Rao Son of Raghuwer Rao Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
101. Girja Devi Balister Rao Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
102. Seema Devi Wife of Vinay Singh Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
103. Shivdayal Thakur Son of Bholi Thakur Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
104. Chandeshwar Prasad Son of Triveni Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
105. Shrawan Ram Son of Ramdeo Ram Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
106. Suresh Prasad Son of Janardhan Prasad Resident of Village- Navrangabag,



- . P.S.- Bettiah, District- West Champaran.
- 107 Malti Devi @ Manju Devi Wife of Chaturi Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 108 Meena Devi Wife of Late Shambhu Mester Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 109 Ashok Raut Son of Paras Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 110 Ramji Sah Son of Mangal Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
111. Raju Kumar Sah Son of Chhaddu Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 112 Brij Kishore Prasad Son of Late Hikayat Prasad Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 113 Krishna Kumar Son of Umesh Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 114 Most. Kalawati Wife of Ramu Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 115 Rajendra Raut Son of Late Kuish Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 116 Virendra Raut Son of Yadunandan Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 117 Most. Poonam @ Poonam Kuar Wife of Late Lalan Das Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 118 Asarfi Raut Son of Bhola Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 119 Deepak Raut Son of Ramesh Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 120 Shibu Raut Son of Ramesh Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 121 Munna Raut Son of Bangali Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 122 Lilawati Devi Wife of Mahendra Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 123 Chandra Devi Daughter of Kailash Sharma Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 124 Dister Raut @ Shiv Shankar Raut Son of Nami Raut Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 125 Akhilesh Tiwari Son of Late Sudhir Tiwari Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 126 Sanjay Yadav Son of Ramdeo Yadav Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 127 Prabhu Sah Son of Bhoj Sah Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.



- 128 Sangeeta Devi Wife of Shambhu Paswan Resident of Village- Navrangabag,
. P.S.- Bettiah, District- West Champaran.
- 129 Aman Kumar Mishra @ Naman Kumar Mishra Son of Kanhaiya Mishra
. Resident of Village- Navrangabag, P.S.- Bettiah, District- West Champaran.
- 130 Ajeet Tiwari Son of Bachha Tiwari Resident of Village- Navrangabag, P.S.-
. Bettiah, District- West Champaran.
- 131 Sri Bhagwan Prasad Son of Ram Bahadur Prasad Resident of Village-
. Navrangabag, P.S.- Bettiah, District- West Champaran.
- 132 Ramdev Singh Son of Late Jamadar Singh Resident of Village-
. Navrangabag, P.S.- Bettiah, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms
Department, Bihar, Patna.
2. District Magistrate West Champaran at Bettiah.
3. Sub-Divisional Officer Bettiah, West Champaran.
4. The Land Reforms Deputy Collector Bettiah, West Champaran.
5. Anchal Adhikari Bettiah, Anchal, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Sajid Slaim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-11-2019 The present writ petition has been filed for quashing

the notice issued under Section 3 of the Bihar Public Land

Encroachment Act, 1956 to the petitioners.

The learned counsel for the petitioners has made a

simple submission to the effect that the competent authority,

who is required to issue notice under the provisions of the Bihar

Public Land Encroachment Act, 1956, is the concerned Circle

Officer and not the Land Reforms Deputy Collector, Bettiah



Sadar, West Champaran.

The learned counsel for the respondent State does not dispute the aforesaid position as existing in law, hence the aforesaid notice is held to be illegal and is accordingly quashed. However, the Circle Officer, Bettiah Anchal is granted liberty to issue notice under Section 3 of the Bihar Public Land Encroachment Act, 1956 to the petitioners and proceed further in accordance with the provisions of the Act, 1956.

The writ petition stands allowed.

(Mohit Kumar Shah, J)

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