

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1132 of 2023

1. Shyam Sundar Prasad (Advocate) son of Rajeshwar Prasad, resident of Moti Lal Lane, Near Hasanganj School, Sikandarpur, Kutubganj, Bhagalpur, Bihar- 812005.
2. Giridhar Gopal, son of Rajeshwar Prasad, resident of Moti Lal Lane, Near Hasanganj School, Sikandarpur, Kutubganj, Bhagalpur, Bihar- 812005.

... .. Petitioner/s

Versus

1. The State of Bihar through Director General cum Inspector General of Police, Patna.
2. The Director General cum Inspector General of Police, Patna.
3. The Superintendent of Police, Bhagalpur.
4. The Collector, Bhagalpur.
5. The Additional Collector, Bhagalpur.
6. The Circle Officer, Bhagalpur.
7. The Officer in Charge, Muzahidpur PS, Bhagalpur.
8. Md. Salim Anwar son of Late Jamaluddin, resident of Golghar, Nathnagar, P.S.- Nathnagar, District- Bhagalpur.
9. Abhishek Kumar son of Panchanand Prasad (Deed Writer), resident of Sikandarpur Mirjahatt, P.S.- Mozahidpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anand Kumar Ojha, Adv.
For the Respondent/s	:	Mr. Sanjay Parasmani, A.C. to G.P.-4.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioners and learned counsel for the State.

2. The present writ petition has been filed with a prayer to pass an order of restraintment against the private respondents till a detail enquiry about the creation of forge document are completed. Petitioners further prayed that till the

final report of enquiry has been filed, the issuance of forged orders passed in Settlement Case No.83 of 1986-87 and Misc. Case No.75 of 1986-87 is to be put on hold and subsequently declare that the fraudulent orders do not create any title and any attempt to enter in the land of petitioners is *ex-facie* illegal, arbitrary and violating the legal right under the Constitution.

3. Learned counsel for the petitioners submits that the petitioners have filed several representations alongwith the documents before the Collector, Bhagalpur which is annexed as Annexure No.4, 5, 6, 7 & 8 of the writ petition but there was no response. He further submits that in the representations, the petitioners have categorically mentioned the methodology which has been adopted by the private respondents in connivance with the government officials with a view to grab the land. It is alleged that unequal treatment is being made with the petitioner.

4. Learned counsel for the State submits that a direction may be given to the petitioners that they shall represent afresh before the Collector and Collector shall pass a reasoned and speaking order holding the enquiry in this matter within a fixed time frame.

5. In this view of the matter, petitioners are directed to

file a fresh representation before the Collector, Bhagalpur (respondent no.4) within four weeks from the date of passing of this order alongwith the copy of this order.

6. The Collector, Bhagalpur (respondent no.4) is directed to hold the enquiry and after considering all the documents and the report of enquiry shall pass a reasoned order in this matter.

7. With this direction, the present Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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