

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1300 of 2023

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Punit Prasad @ Punit Mahto Son of Late Brij Mahto Resident of Village-
Chintamanpur, P.S.- Pipra, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Dept., Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Superintendent of Police, East Champaran, Motihari.
5. The Land Reform Deputy Collector, East Champaran, Motihari.
6. The Sub Divisional Officer, Chakia, East Champaran, Motihari.
7. The Anchaladhikari, Chakia, East Champaran, Motihari.
8. Chandrika Kushwaha Son of Late Bilash Mahto Resident of Village-
Chintamanpur, Khas Tola, P.S.- Pipra, District- East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC-25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-09-2023 The present writ petition has been filed
seeking the following relief:-

*“1. i) For the issuance of writ nature
of Certiorari for quashing the order
dated 13.12.2022 passed by
Collector-cum-District Magistrate,
East Champaran, Motihari in
Encroachment Appeal Case
No.44/2022-23 by which Ld.
Collector-cum-District Magistrate*



has been pleased to reject the claim of the petitioner without considering the case of the petitioner as petitioner residing since 29.07.1927 and having no land except the disputed land.

ii) For quashing the order passed in Encroachment Case No.18/2019-20 passed by Anchaladhikari, Chakia without following the due procedure and passing the order under section 6(1) of the Bihar Land Encroachment Act.

iii) For further quashing the notice dated 03.01.2023 issue under signature of Anchaladhikari, Chakia inter alia stated that the house of the petitioner shall be demolished on 05.01.2023.

iv) For further issued direction to the respondents for considering the case of the petitioner the dispute land bearing Khata No.343, Khesra No. 110, Area-0-0-17 Dhur was allotted in the name of grand father of petitioner by settlement dt. 29.07.1927 (Annexure-1), since very date is residential after construction of house.”



2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies, as are otherwise available under the law, including that of filing a suit before the Ld. Civil Court having competent jurisdiction, for redressal of the aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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