

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6665 of 2017

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Badir Alam @ Sheikh Badir Alam Son of Late Usman Gani, Resident of
Village- Dhobaniya, P.S.- Paharkatta, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Kishanganj.
3. The Circle Officer, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jawed Gaffar Khan, Advocate
For the Respondent/s : Mr.Dhurjati Kr. Prasad-GP 14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-04-2023 The present petition has been filed seeking the
following reliefs :-

“(i) For directing the respondents to give back possession of the private land of the petitioner bearing Khata No. 597, Khesara No.- 5501, Thana No. 01 in Mauza-Halamala and Anchal-Kishanganj having total area of 51 ½ % Decimal which was forcibly taken by the State respondent for construction of B.S.F. camp without following the due process of Law of acquisition.

(ii) For directing the respondents to demarcate the private land of the petitioner and give possession of the land to the petitioner after making free it from all encumbrances.



(iii) For directing the respondent to remeasure the land demarcated for B.S.F. Camp in presence of the Petitioner and not to Shift the camp area in private land of the petitioner.

(iv) For directing the respondents to pay compensation for demolition of the petitioner's construction over the above said land without noticing the petitioner.

(v) For staying the acquisition of the private land of the petitioner till the re-measurement is done in presence of the petitioner and giving him proper opportunity to raise objection.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, Kishanganj for redressal of his aforesaid grievances and for re-measurement of the land in question, in his presence.

Accordingly, I deem it fit and appropriate to grant liberty to the petitioner to file appropriate representation before the District Magistrate, Kishanganj and in case, appropriate representation is filed by the petitioner within a period of four weeks from today, the District Magistrate, Kishanganj shall consider the same, get the land in question measured and demarcated and take consequential steps as also pass a reasoned and a speaking



order, in accordance with law, within a period of four weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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