

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10581 of 2023**

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1. Rita Pandey @ Rita Devi W/o Arun Prakash Pandey, Resident of Village- Hardiya Ward No. 04, Areraj, P.S. Govindganj (O.P. Areraj) at present residing at Village- Yogyar @ Janerwa, P.S.-Govindganj, District-East Champaran.
  2. Arun Prakash Pandey, Son of Dhrup Pandey, Resident of Village- Mathiya Sangrampur, District-East Champaran presently residing at Resident of Village- Yogyar @Janerwa, P.S.-Govindganj, District-East Champaran Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The Circle Champaran Officer, Areraj, District-East Champaran.
4. The Executive Officer nagar, Panchyat Areraj, District-East Champaran.
5. The S.H.O. of Govindganj Police Station (O.P. Areraj), East Champaran.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Shakil Ahmad Khan  
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      30-11-2023                      Heard the learned counsel for the parties.

2. Counter affidavit filed on behalf of the respondent no. 4 is taken on record.

3. The petitioner has challenged the order dated 19.06.2023 vide memo no. 1595 issued by the Executive Officer, Nagar Panchayat, Areraj, East Champaran (respondent no. 4).

4. Learned counsel for the respondent no. 4 has



submitted that the petitioner has been given only notice and the proceeding is still pending.

5. In my view, this application is pre-mature.

6. The petitioner is directed to file his show cause to the notice and thereafter participate in the proceeding which shall be decided in accordance with law after hearing all the parties.

7. The petitioner can take an objection as to the maintainability of the proceeding initiated by the respondent no. 4.

8. In case, such an objection is taken, the respondent no. 4 will be obliged to decide that objection first and thereafter if he finds that proceeding is maintainable then he will proceed further.

9. With the aforesaid observation and direction, this application is disposed of.

**(Sandeep Kumar, J)**

Shishir/-

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