

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16872 of 2022

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Basanti Devi Wife of Late Ram Sagar Choubey, Resident of Mohalla-Court
Area, Barh, Police Station-Barh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Patna.
4. The Sub Divisional Officer, Barh, Patna.
5. The Circle Officer, Barh, District-Patna.
6. The Block Development Officer, Barh, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2,Adv.
For the Respondent/s : Mr.Sajid Salim Khan,SC-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

11 03-04-2023 The present writ petition has been filed
seeking the following relief:-

*“1.That for the present writ application is
being filed for issuance of an appropriate
writ/writs, direction/directions,
order/orders for setting aside the notice
dated 28.11.2022 and notice dated-
29.11.2022 issued by the Block
Development Officer, Barh, Patna
whereby and whereunder the petitioner
has been directed to vacate the premise
within 24 hours otherwise same would be
vacated through process of law and
further for issuance of direction to the*



respondent authorities, particularly the respondent no. 6 to not take any coercive measures pursuant to the notice dated 28.11.2022 and 29.11.2022.”

At the outset, the learned counsel for the respondent-State has referred to the counter affidavit, filed in the present case by the Circle Officer, Barh on 20.02.2023, to submit that the land in question, being claimed to have been purchased by the petitioner, through a sale deed, is a land which has already stood acquired by the respondent-State way back in the year, 1957.

In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail such other remedies, as are otherwise available under the law, including that of filing appropriate title suit before the learned Civil Court of competent jurisdiction, for redressal of her grievances and during the interregnum period, she seeks some interim protection. Liberty so sought is granted.

It is directed that for a period of six weeks



from today, the petitioner shall not be disturbed from the residential house in her possession, so as to enable her to avail such other alternative and efficacious remedies, as are otherwise available under the law and obtain interim order.

The writ petition stands dismissed as not pressed, however with the aforesaid liberty.

(Mohit Kumar Shah, J)

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