

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.482 of 2022**

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1. Laxman Singh son of Radha Prasad Singh, Resident of Village-Khatiwa, P.S.-Itarhi, District-Buxar.
  2. Shambhu Nath Singh, son of Gul Bachan Singh, Resident of Village-Khatiwa, P.S.-Itarhi, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Land Reforms Department, Patna.
2. The Collector cum District Magistrate, Buxar.
3. The D.C.L.R. Buxar.
4. The Circle Officer, Itarhi, District-Buxar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Singh No.10  
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

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

7      06-03-2024                      Heard the parties.

2. The petitioners have moved the Court for the following reliefs:

*“For quashing the Memo no. 1491 dated 25.10.2021 passed by Circle Officer, Itarhi, Respondent no. 4 in Encroachment Case no. 9 of 2021-22 contained in Annexure-5 ordering the petitioner for removal of Encroachment (Pacca House) from Plot No. 417, Khata no. 102, situated at village Khatiwa, P.S.-Itarhi, District- Buxar otherwise the same would be removed with the help of police with cost though the said house is built on Plot No. 416.*

*(ii) To pass any such order or orders as the Hon’ble Court be deem just and proper in the facts and circumstances of the case.”*

3. The appeal of the petitioners have been dismissed



by the Collector. The petitioners have an alternative remedy of approaching the Commissioner against the appellate order under the Bihar Land Encroachment Act.

4. This application is disposed of with liberty to the petitioners to file a revision before the Commissioner concerned within 30 days from today. If such a revision is filed within 30 days from today, the Commissioner will hear the revision on merits.

5. If any revision is filed by the petitioners, the same shall be disposed of within six months by the Commissioner.

6. In view of the above, this application is disposed of.

**(Sandeep Kumar, J)**

P. Kumar

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