

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.824 of 2024

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Md Sagir S/o Md. Israil, R/o - Ward no. - 08, Kasimpur, P.O. - Abjuganj, P.S.
- Sultanganj, District - Bhagalpur, Bihar - 813213.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary Revenue and Land Reforms, Government of Bihar, Patna.
4. The District Collector/Magistrate, Bhagalpur.
5. The Additional Collector, Bhagalpur.
6. The Deputy Collector Land Reforms, Bhagalpur.
7. The Circle Officer, Sultanganj, District - Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Alok Ranjan, Advocate
For the Respondent/s : Mr.Government Pleader (4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2024 1. The present writ petition has been filed seeking
the following relief(s):-

*“1(I) For quashing notice/order issued
by the signature of Circle Officer,
Sultanganj, dated 29.11.2023, whereby
and where under circle officer has
directed the petitioner and others to
vacate the land within three days or else
they will forcefully be vacated from land
appertaining to mauza ward no. 08,
Khata no. 522, Khesra 924, about 08.711
decimal, without considering the fact that
petitioner and others are not residing on*



the same piece of land.

(II) For quashing the entire proceeding initiated by the circle officer Sultanganj bearing Land encroachment case no. 14/2021-22 and holding that the entire proceeding initiated by the respondent authorities against the petitioner and others is abuse of process of law and has only been initiated to harass the petitioner and others, moreover, on 26.12.2023 the house of the petitioner and others have been demolished forcefully by circle officer Siltanganj.

(III) For commanding and restraining the respondent authority from taking any further coercive action as against the petitioner and others for dispossessing the petitioner and others from land in question, as they are landless person, the land on which the house was constructed was the only house on which the petitioner and others are residing along with the family members since time immemorial, for more than 50 years.

(IV) For directing and commanding the respondent authorities to verify from revenue records of the state government and if not already settled take appropriate steps for settling the land in favor of the petitioner and others



pursuant to Bihar Privileged persons Homestead tenancy Act and to construct the house pursuant to various schemes introduced, for poor land less citizens like petitioner (Indira awas yojna or any other scheme) and to rehabilitate the petitioner and others.

(V) For Directing and commanding the respondent authority to pass appropriate reasoned and speaking order in accordance with law after considering the reply and request filed on behalf of the petitioner in this regard.

(VI) For restraining the respondent authorities not take any further coercive steps as against the petitioner and others, as the entire proceeding has been initiated behind the back of the petitioner and others and to consider the representation as reply and pass final order after considering the reply of the petitioner in accordance with law. Since so far as per knowledge of the petitioner no final order has been passed or served to the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, Bhagalpur, for redressal of his aforesaid grievances.



Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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