

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.406 of 2024

Meera Devi wife of Krishna Prasad @ Krishn Kumar, resident of Mohalla-Bajajpatti, P.S.-Motihari Town, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Public Works Department, Government of Bihar, Patna.
3. The Collector, East Champaran at Motihari.
4. The Sub Divisional Magistrate, Sadar Motihari, District-East Champaran.
5. The Deputy Collector, Land Reforms, Sadar Motihari, District-East Champaran.
6. The Circle Officer, Motihari Circle Office, District-East Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 785 of 2024

Swastika Banerjee Wife of Late Sunil Banerjee, Daughter of Late Sidheswar Mukherjee, Resident of At 25A, Rejendra Lal Street, P.S.- Beadon Street, District- Kolkatta, Wes Bengal-700006 through the General Power of Attorney holder namely Sri Sujan Kumar Roy Burman 56 Years Male Son of Late Dhruba Prasad Roy Burman, Resident of 9/3 Hem Dey Lane, P.O. and P.S.-Sinthi, Kolkatta-700050, State-West Bengal.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Roads Construction Department, Government of Bihar, Patna.
3. The Collector, East Champaran at Motihari.
4. The Sub-Divisional Magistrate, Sadar Motihari, District-East Champaran.
5. The Deputy Collector, Land Reforms, Sadar Motihari, District-East Champaran.
6. The Circle Officer, Motihari Circle Office, District-East Champaran.

... .. Respondent/s

Appearance:

(In Civil Writ Jurisdiction Case No. 406 of 2024)

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the Respondent/s : Mrs. Shatabdi Sinha, AC to SC-21



(In Civil Writ Jurisdiction Case No. 785 of 2024)

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Respondent/s : Mr.Sajid Salim Khan, SC-25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 12-08-2024 At the outset, the learned counsel for the respondent-State, in the first case, seeks to file a supplementary counter affidavit, copy whereof has already been filed online. Let the same be kept on record.

2. The aforesaid two writ petitions have been filed by the petitioners of the said cases for restraining the respondents from demolishing the boundary wall of the land of the petitioners appertaining to Mauja-Bajajpatti, Thana No. 122, Khata No. 4, Khesra No. 2780 (first case), Khesra Nos. 2780, 2789, 2783, 2785, 2786 and 2788 (second case).

3. At the outset, reliance has been placed on the joint measurement report dated 09.04.2024, which is not disputed by the respondent-State, as has been mentioned in the supplementary counter affidavit filed in the first case, from which it is apparent that the petitioners, upon measurement and demarcation of their land, have not been found



to be encroachers of public land.

4. At this juncture, the learned counsel appearing for the respondent-State in the second case submits that the respondents do not have anything to do with the aforesaid plots of land in question and they have removed encroachment from the land situated at Mauja-Belbanwa, Thana No. 122, Khesra No. 858, hence the petitioners should not have any apprehension.

5. Having regard to the facts and circumstances of the case, this Court finds that since the respondents are not intending to disturb the possession of the petitioners from the aforesaid plots of land in question, nothing survives for consideration in the present writ petitions.

6. Accordingly, the aforesaid two writ petitions stand disposed off.

(Mohit Kumar Shah, J)

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