

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2454 of 2024

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Sanjeev Kumar Son of Late Lalbabu Mahto, R/o Mohalla - Biruachak, P.S. -
Mehandiganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Home (Police), Bihar, Patna.
3. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna.
4. The District Magistrate, District - Patna.
5. The Senior Superintendent of Police, Patna.
6. The Superintendent of Police, East, Patna.
7. The Deputy Collector Land Reforms, Patna City, Patna.
8. The Sub-Divisional Officer, Patna City, Patna.
9. The Deputy Superintendent of Police, Patna City, Patna.
10. The Circle Officer, Patna City, Patna.
11. The Officer Incharge, Bypass Police Station, Patna City, Patna.
12. Prithavi Raj Son of Gyan Gope, Resident of Mohalla - Biruachak, P.S. -
Mehandiganj, District - Patna.
13. Pramod Gope, Son of Shree Gope, Resident of Mohalla - Biruachak, P.S. -
Mehandiganj, District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.
For the Respondent/s : Mr. Standing Counsel (8)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-04-2024 Heard Mr. Krishna Kant Singh, learned counsel for

the petitioners as also learned counsel for the State.

2. The present writ petition has been preferred for the

following reliefs :-

*“(i) For issuance of a writ in the nature of
'Mandamus' directing the concerned respondents*

to protect the valuable constitutional rights of the petitioner to have property and enjoy the same and restrain the private respondents from illegal encroachment over the land of the petitioners by filling soil on the same pertaining to Khata No. 1455 Khesra No. 4539 area 8 Kattha situated at mauza Ranipur, Thana Bypass, Zila Patna in collusion with the local police authority and to provide protection to the petitioner as he happens to be the lawful owner of the said property.

(ii) For further to ensure that the petitioner and his family is not harassed by the respondents as admittedly there is no dispute of title over the land of the petitioner which is his ancestral property over which Jamabandi is running in the name of petitioner and his brothers and the private respondents in collusion with the local police authority are filling soil on the land of the petitioner without authority and the State respondents have become a mute spectator thereby perpetuating illegality.

(iii) For further directing the concerned

respondent authorities to take appropriate action against the private respondents on the representation of the petitioner so that he may be able to enjoy the benefit of the land in question on which he is being harassed by the private respondents due to illegal filling the soil on the land of the petitioner in collusion with the Officer In-charge Bypass Police Station by taking law in their hands and constantly threatening the petitioner and his family of dire consequences and though the petitioner approached all the competent authorities but they have not taken any appropriate action to ensure the safety of the life and property of the petitioner and his family.

(iv) For further to issue a writ of Mandamus directing the Circle Officer, Patna City, Patna to demarcate the land of the petitioner on depositing of the requisite fee and on demarcation respondent police authorities be directed to ensure that the petitioner's possession may not be disturbed and may be given sufficient police protection.”

3. After some arguments, Mr. Krishna Kant Singh

submits that he will be approaching the appropriate authority so that peace is maintained on his land.

4. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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