

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1707 of 2024

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Shashi Bhushan Ray Badri Narayan Ray Alias Badri Prasad Ray Resident of Village- Bhojpura (Siljori More), P S Chandan, District-Banka, Bihar, At Present Resident of Village-Raidih, P.S. Jasidih, District-Deoghar, Jharkhand-814152. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The Collector, Banka, Bihar.
4. The Superintendent of Police, Banka, Bihar.
5. The Additional Collector, Banka, Bihar.
6. The Circle Officer, Chandan, Block-Chandan, District-Banka, Bihar.
7. Suchit Yadav Son of Late Gopi Yadav Resident of Village-Biyahi More, P.S. Chandan, District-Banka.
8. Sanjay Yadav Son of Late Gopi Yadav Resident of Village-Biyahi More, P.S. Chandan, District-Banka.
9. Dolly Devi W/o Suchit Yadav Resident of Village-Biyahi More, P.S. Chandan, District-Banka.
10. Babita Devi W/o Sanjay Yadav Resident of Village-Biyahi More, P.S. Chandan, District-Banka.
11. Harish Chandra Mahto Son of Late Navi Mahto Resident of Village-Biyahi P.O. and P.S. Chandan, District-Banka. Bihar.
12. Babulal Mahto Son of Late Navi Mahto Resident of Village-Biyahi P.O. and P.S. Chandan, District-Banka. Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Alka Singh, Advocate
For the Respondent/s : G.P.-25

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-05-2024 Heard the parties although initially on call State appearance was not there. Recently, it has come to notice of the Court that the names of the learned State Counsels is/are missing. It seems that the official in the office of Advocate General, Bihar (the initial is K.K.) who receives the file is not giving the name of the State Counsel as a result whereof the names are not being published.

2. Let a copy of this order go to the office of learned



A.G., Bihar so that proper steps is/are taken in the matter.

3. Heard learned Counsel for the petitioner and the State.

4. The present petition has been preferred for the following reliefs:-

(i) to issue an appropriate writ preferably in the nature of Mandamus commanding upon the respondent authorities to demarcate the 9.51 acre land of the petitioner appertaining to Thana No.175, Khata no 1, Plot no.1 to 61 situated in Mauza-Bhojpura, Circle-Chandan, District-Banka as per sale deeds no.7250/1982, 7251/1982 and 5018/1993 executed in favour of petitioner and his family members;

(ii) to issue an appropriate writ preferably in the nature of Mandamus commanding upon the respondent authorities to prevent the Private respondent nos. 6 to 10 from encroaching over the aforesaid land of petitioner and his family



*members appertaining to Thana no. 175,
Khata no.1, Plot no.1 to 61, area-9.51 acre
situated in Mauza-Bhojpura, Circle-
Chandan, District-Banka.*

5. Learned Counsel for the petitioner submits that it will suffice if the petition preferred before the Circle Officer, Chandan, Banka (Annexure-P/2) is taken to its logical conclusion.

6. Learned State Counsel submits that the said representation is bereft of any document and it is also not clear whether the same has been submitted before the concerned office or not. To this, learned Counsel for the petitioner submits that he will be filing a fresh petition.

7. In case, such petition is filed within four weeks from today, the respondent no. 6, the Circle Officer, Chandan, Banka shall take the same to its logical conclusion expeditiously.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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