

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2275 of 2024

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Rameshwar Ram S/o Dhenukh Ram R/o Village- Barharwa Kala (Semra Tola), Kushahar, P.S.-Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secreary of Land Reform Department, Govt. of Bihar, Patna.
2. The Collector of East Champaran at Motihari
3. The Addl. Collector of East Champaran, Motihari.
4. The Deputy Collector Land reformas Department,a Motihari Sadar at Motihari
5. The Circle Officer, Anchal-Kotwa, District-East Champaran.
6. Raj Kishor Ram Son of Ramdev Ram Resident of Village-Barharwa Kala East (Semra Tola), Ward No.-06, Post-Kushahar, P.S.-Kotwa, District-East Champaran, PIn-845437.
7. Jitendra Ram Son of Ramdev Ram Resident of Village-Barharwa Kala East (Semra Tola), Ward No.-06, Post-Kushahar, P.S.-Kotwa, District-East Champaran, PIn-845437.
8. Anil Ram Son of Ramdev Ram Resident of Village-Barharwa Kala East (Semra Tola), Ward No.-06, Post-Kushahar, P.S.-Kotwa, District-East Champaran, PIn-845437.
9. Brijesh Ram Son of Ramdev Ram Resident of Village-Barharwa Kala East (Semra Tola), Ward No.-06, Post-Kushahar, P.S.-Kotwa, District-East Champaran, PIn-845437.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Yadav, Advocate
For the Respondent/s	:	Mr. Uday Shankar Sharan Singh, GP-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-05-2024 Heard Mr. Ramakant Yadav, learned counsel for the

petitioner and Mr. Uday Shankar Sharan Singh, GP-19.

2. The present writ petition has been preferred for the

grant of following relief/s:-

“(i) For issuance of an appropriate writ,



order/orders, direction/dictations in the nature of mandamus for direction to the respondents for vacating the encroachment made by private respondents No.- 6 to 9 upon the land bearing Khata No.- 628, Plot No.- 4670, Area- 4.5 Dhur under the Mauja of Semra Tola, Barharwa Kala, Anchal- Kotwa, District- East Champaran.

(ii) For direction to the Respondents 1st set for complete the correct measurement upon the land in question in the presence of both parties as well as local public reprehensive.

(iii) For any other relief /reliefs for which petitioner found entitled in the facts and circumstances of this case.”

3. Learned counsel for the petitioner submits that in a Land Dispute Resolution Case No. 07 of 2021-2022 (Naresh Ram vs. Ramdeo Ram) an order came to be passed on 19.07.2022 by the Court of learned LRDC, Sadar Motihari, East Champaran (Annexure P/3) which followed the notice dated 14.08.2023 (Annexure P/4) by the Circle Officer, Kotwa, East Champaran to the Ramdeo Ram (now dead), however, further steps has not been taken.

4. Learned State counsel submits that when Ramdeo Ram is no more as informed by learned counsel for the petitioner, the substituted heirs have to be noticed and only thereafter, the matter can move further. He submits that the sons of the Ramdeo Ram have been made party respondents herein.



5. In that background, learned counsel for the petitioner submits that he will be once again preferring a fresh petition before the Circle Officer, Kotwa, East Champaran within four weeks.

6. In that case, the concerned Circle Officer is duty bound to take the matter to its logical conclusion after hearing all the parties preferably within a period of four months from the date, the petition is preferred before him

7. The present writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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