

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4698 of 2024

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Laxmi Devi W/o Ramras Mahto, Permanent Resident of Koyala, P.S.-
Sheikhpura, District- Lakhisarai, At present New Bahadurpur Jhuggi Jhopari
Bazar Samiti Road, P.S.-Bahadurpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Patna.
2. The Anchal Adhikari, Sampatchak, Patna.
3. D.C.L.R., Patna.
4. District Magistrate-cum-Commissioner, Patna.
5. Parmanand Paswan, S/o Late Chaturi Paswan, Resident of Village Shahpur,
Post Mohanpura Kachhuara, P.S.- Gopalpur, District- Patna.
6. Tej NarainYadav, S/o Late Ramlakhan Yadav, Resident of Village Shahpur,
Post Mohanpura Kachhuara, P.S.- Gopalpur, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dr. Ratan Kumar, Advocate
For the Respondent/s : Mr.Kumaresh Singh, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-06-2024 Heard Dr. Ratan Kumar, learned counsel for the

petitioner and learned AC to SC-28.

2. The petitioner has prayed for the following reliefs:

*(i) for issuance of an appropriate
Writ, Order or Direction for
quashing of the Order dated
19.06.2023 Passed in Land Dispute
Case no. 80/2022- 23 as contained
in Annexure P 10 whereby and
where under without appreciating*



the fact that the petitioner's land is encroached upon by the others directed C.O. to remove the encroachment done by Bandh land and hand over the Land to the petitioner;

(ii) for any other relief or reliefs which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that in the Land Dispute Resolution Case No. 80/2022-23 (decided on 19.6.2023) the DCLR, Patna Sadar ignored the report of the revenue officials. However, he concurs that there has been dispute with respect to the land vis-a-vis the respondent nos. 5 and 6 which has to be decided by a competent Court. He further submits that a perusal of the order would show that the private respondents have encroached the state land (bandh) but no further steps have been taken.

4. The learned State Counsel while supporting the order passed by the DCLR submits that once the finding has come regarding encroachment of 'Bandh Land' by the



encroachers, it is the duty of the Circle Officer, Sampatchak to take appropriate steps in accordance with law after hearing the parties as per direction dated 19.6.2023 passed by the DCLR, Patna Sadar.

5. In that background, the writ petition stands disposed of granting liberty to the petitioner to approach appropriate authority/Court for redressal of his grievance. Further direction is given to the respondents to comply the order passed by the DCLR, Patna Sadar dated 19.6.2023 in accordance with law.

6. So far as the encroachment of the land by the private respondents is concerned, it is made clear that the Circle Officer, Sampatchak shall take steps in accordance with law after initiating an encroachment proceeding against the encroachers which has to be taken to its logical conclusion after hearing the parties.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

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