

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4206 of 2020**

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1. Ramu Prasad @ Ramu Gupta @ Ramu Kumar, Son of Late Shiv Shankar Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
2. Shyam Kumar @ Shyam Kumar Gupta, Son of Late Shiv Shankar Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
3. Arju Khan, Son of Late Rahamtullah Khan, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
4. Dhiraj Kumar, Son of Late Ram Chandra Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
5. Amit Kumar, Son of Late Mangal Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
6. Sunny Kumar, Son of Hridaya Nand Das, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
7. Chandan Kumar, Son of Suresh Das, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
8. Amrendra Kumar @ Amrendra Prasad Shrivastava, Son of Gauri Shankar Shrivastava, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
9. Sanjay Sah, Son of Kashi Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
10. Chandra Shekhar Prasad, Son of Late Banbari Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
11. Akbar Imam, Son of Late Abdul Kalam Khan, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
12. Bhanu Pratap Singh, Son of Braj Bhushan Singh, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
13. Usha Gupta, Wife of Paras Nath Gupta, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
14. Madan Prasad, Son of Late Yamuna Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
15. Sanjay Kumar, Son of Late Ram Nath Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
16. Sahil Das, Son of Devendra Kumar, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.



17. Budhadeo Sah, Son of Late Mahadev Ram, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
18. Shiv Prasad Gupta, Son of Mangal Prasad Gupta, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
19. Rajendra Prasad, Son of Late Yugal Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
20. Bimala Devi, Wife of Brahma Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
21. Suresh Prasad, Son of Rameshwar Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
22. Uma Devi, Wife of Gopal Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
23. Jai Prakash Kumar, Son of Late Kishori Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
24. Rajesh Sahni, Son of Late Prabhu Sahni, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
25. Ramod Kumar Patel, Son of Late Sundar Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
26. Md. Obidullah, Son of Late Amirullah Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
27. Nand Lal Sah, Son of Late Rajendra Sah, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.
28. Nandu Prasad, Son of Shreelal Prasad, Resident of Samaharnalay Chowk, New Bus Stand Road, P.S.-Bettiah, District-West Champaran at Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Land Reforms & Revenue Department, Bihar, Patna.
3. The Principal Secretary, Urban & Housing Development Department, Bihar, Patna.
4. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
5. The District Magistrate, West Champaran at Bettiah, West Champaran.
6. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad Bettiah, West Champaran.
7. The Zila Parishad, West Champaran through its D.D.C.-cum-Chief



Executive Officer, West Champaran, Bettiah.

8. The Addl. Collector, West Champaran at Bettiah.
9. The Sub-Divisional Officer, Bettiah, West Champaran.
10. The Circle Officer, Bettiah, District-West Champaran.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s    | : | Mr. Ashok Kumar Gupta, Advocate<br>Mr. Pranav Kumar Jha, Advocate<br>Mr. Subodh Kumar Jha, Advocate |
| For the State           | : | Mr. Dhurjati Kumar Prasad, GP-14                                                                    |
| For the respondent no.6 | : | Mr. Prince Kumar Mishra, Advocate<br>Mr. Vikash Kumar Jha, Advocate                                 |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      04-12-2024      The present writ petition has been filed seeking the following relief:-

*“1.For issuance of an appropriate writ/ writs, order /orders, in the nature of certiorari, for quashing the notice dt. 9/10/19, issued in case no. (File No. 11-09/2019), under the signature of Incharge Officer, District Legal Cell, West Champaran, Bettiah contained in Annexure-3 series to this petition by which the petitioners have been directed to appear with relevant documents before the respondent no.5 and to further issue a writ in the nature of mandamus, directing and commanding the respondents not to demolish any part of the structure including the residential houses and shops of the petitioners situated at plot Nos. 7789 & 7775 at 30 miles of the road, i.e. Rajghat Bettiah Road No.26, Thana No.131, within the town Bettiah, which is popularly known as Hari Vatika Chowk, 3 Lalten and goes up to Bettiah Bus Stand, since the same was settled by the Zila Parishad Bettiah, whereupon the residential houses &*



*shops have been constructed either by the petitioners or by their predecessors and they are doing their work since more than 50 years. For further directing the respondent No.5, i.e. the D.M., Bettiah not to disturb the physical possession of the petitioners over their respective land, without following the due procedure of law.”*

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to file their objections to the notice dated 09.10.2019, issued by the Ld. Court of District Magistrate, West Champaran at Bettiah, under the pen and signature of In-charge Officer, District Legal Cell, West Champaran at Bettiah. Liberty so sought is granted.

3. It is needless to state that for a period of four weeks from today, status quo, existing as on today, qua the land/shops of the petitioners in question shall be maintained.

4. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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