

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10533 of 2016

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Kailash Ram @ Paswan Son of Late Bhagu Hazra, Resident of Village -
Dhangadhwa, P.s- Palanwa, District - East Champaran Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Collector, East Champaran
3. The Sub Divisional Officer, Raxaul
4. The Deputy Collector, Land Reforms, Raxaul
5. Circle Officer, Ramgadhwa, Distt- East Champaran
6. Ram Preet Gaddi Son of Asharfi Gaddi null
7. Akbar Gaddi Son of Asharfi Gaddi null
8. Ali Hasah Gaddi Son of Asharfi Gaddi null
9. Gyanbagadur Gaddi son of Jaising Gaddi null
10. Lal Bahadur Gaddi Son of Jaisingh Gaddi
11. Gyasoddin Gaddi Son of Late mangal Gaddi
12. Motichand Gaddi Son of Late Jangi Gaddi
13. Ramvtar Gaddi Son of Late of Jangi Gaddi
14. Md. Nesar Gaddi Son of Late Raj Gaddi
15. Bahujan Gaddi Son of Late islam Gaddi All resident of Village -
Dhangadhwa, P.S- Palanwa, District - East ChamparanBihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shiv Sager Sharma, Advocate Mr. Ashok Kumar Sharma, Advocate
For the Respondent/s	:	Mr. Mritunjay Kumar, A.C. to A.A.G.-6

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-05-2024 Heard the parties.

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

(i) to allow the decision dt. 29.9.2003

made by D.M., East Champaran to vacate the land



in question which was allotted from the quota of scheduled Caste by the District Collector, East Champaran in the year 1971;

(ii) to direct the respondent 1st set not to encroached the land in question by the respondent 2nd set;

(iii) to maintain the terms and conditions which has been decided on 31.1.2002 in Case No. 288-289/71-72 by which compromise was made in between for which receiving message both the parties on 29.9.2003 before the District Magistrate, East Champaran;

(iv) to maintain law and order regarding distribution system of the respondent State among the Schedule Caste.

3. Learned State Counsel, at the outset, submitted that the order under challenge is of the Deputy Collector Land Reforms, Raxaul, East Champaran (respondent no. 4) and the same should have been challenged in an appeal instead of invoking the writ jurisdiction.

4. Learned Counsel for the petitioner submits that he shall be filing an appropriate appeal in next four weeks but the



delay has occurred due to the filing of the writ petition.

5. The same is accordingly disposed of with an observation that if the petitioner prefers appeal within four weeks from today, the Appellate Authority shall take into account the fact that the writ petition was pending before this Court while considering the limitation petition.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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