

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7020 of 2024

Ashok kumar @ Ashok Kr. Khatik Son of Late Daya Ram Khatik Resident of Village and Mohalla- Takiya, Ward No.- 2, Police Station- Sasaram, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
2. The Divisional Commissioner, Pramandal, Patna (Bihar).
3. The District Collector-cum-District Magistrate, Rohtas, Sasaram (Bihar).
4. The Sub Divisional Officer, Sasaram, Rohtas, (Bihar).
5. The Circle Officer, Sasaram (Rohtas), Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Virendra Prasad
For the Respondent/s : Mr.Government Pleader (23)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-04-2024 Heard the parties.

2. This application has been filed for following reliefs:

“For quashing the order dated 16.09.2016 passed in Encroachment Appeal no. 06 of 2016 by which the Respondent Collector, Sasaram rejected the appeal stating therein that I am not bound to obey/followed the judgement/order passed in Title Suit No. 46 of 1964 (Doma Sao and others Versus The Ram Das Khatik and others) and also to quash the order dated 05.01.2016 passed by the Respondent No.5 i.e. Circle Officer, Sasaram (Rohtas) in Encroachment Case no. 04 of 2015-16 without examined the papers/without hearing of the petitioner.

ii) For issuance of a writ in the nature of Mandamus directing/commanding the Respondents Authority not to dispossessed the petitioner in Plot No. 648/833 Khata No. 49 Tauzi



No. 5549 by which the petitioner rightfully living in the said plot since 23.03.1948 and s aid land mutated in the name of the petitioner.

3. Learned counsel for the Respondents has submitted that the petitioner has an alternative remedy of revision.

4. This application is disposed of with liberty to the petitioner to approach the Commissioner within thirty days from today by filing a revision application.

5. Till disposal of the revision application, the house of the petitioner shall not be demolished. If the revision application is not filed within the next 30 days, this order shall be treated to be recalled after thirty days.

6. This application is disposed of.

(Sandeep Kumar, J)

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