

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8115 of 2024

1. Md Sahid Pravej Son of Mustaque Ahmad Resident of Village - Harpur Pipra, P.S. - Gaunaha, District - West Champaran
2. Dinanath Sharma Son of Late Mahesh Thakur Resident of Mohalla- Middle School Road Jha Tola Banu Chhapra, P.S. - Sikarpur, District - West Champaran
3. Ajay Kumar Yadav Son of Late Ramchandra Yadav Resident of Village - Chakrshan, P.S. Manpur, District - West Champaran
4. Mahiram Lohar Son of Late Harihar Lohar Resident of Village- Padraun, P.S- Lauria, District-West Champaran
5. Heera Devi Wife of Om Prakash Raut Resident of Mohalla- Purani Bazar Narkatiyaganj, P.S. - Sikarpur, District - West Champaran
6. Pritam Devi Wife of Rampukar Sah Resident of Village- Jamunia, P.S.- Sahodra, District - West Champaran
7. Ram Pukar Sah Son of Mohan Sah Resident of Village Jamunia, P.S. - Sahodra, District - West Champaran
8. Rajender Kushwaha Son of Ramkabilash Kushwaha Resident of Village - Lalkothi Rajpur, P.S.- Sahodra, District - West Champaran
9. Musmat Shiv Kali Devi Wife of Chokat Mukhiya Resident of Village- Mangalpur, P.S. - Shrinagar, District - West Champaran
10. Kalawati Devi @ Kalpati Devi Wife of Gorakh Ram Resident of Village - Parsauni Ghogha, P.S. Parsotipur, District - West Champaran
11. Badu Yadav Son of Lalan Yadav Resident of Village- Mangalpur, P.S. - Shrinagar, District-West Champaran
12. Motichand Mukhiya Son of Late Dinesh Mukhiya @ Ganesh Mukhiya Resident of Village- Mangalpur, P.S. Shrinagar, District West Champaran
13. Satrudhan Singh Son of Narayan Singh Resident of Village - Khodi Narkatyaganj, P.S. Sikarpur, District-West Champaran
14. Maniraj Raut Son of Raghuni Raut Resident of Village- Siswa Mangalpur, P.S.- Sirinagar, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary , General Administration Department, Government of Bihar, Patna
2. The District Magistrate, West Champaran, Bettiah
3. The Superintendent of Police, West Champaran, Bettiah
4. The Sub Divisional Officer, Narkatiaganj. District West Champaran
5. The Sub Divisional Police Officer, Narkatiaganj, District - West Champaran
6. The Circle Officer, Gaunaha, District - West Champaran



7. The Officer In-Charge, P.S.- Sahodara, District - West Champaran.
8. Shailendra Kumar @ Shailendra Garhwal Son of Late Prem Narayan Garhwal Resident of village -Jamunia, P.S.- Sahodara, District - West Champaran
9. Amlesh Prasad Son of Tara Chandra Prasad Resident of village- Mor Belwa, P.S.- Gaunaha, District -West Champaran

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra, Advocate
For the Respondent/s : Government Pleader (27)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-07-2024 The present writ petition has been filed
seeking the following reliefs:-

"(i). For issuance of Writ in the nature of Mandamus, commanding the Official Respondents to ensure that the Petitioners are allowed to cultivate their Agricultural Land by providing adequate security over the Agriculture Land of the Petitioners, as the Private Respondents who are local henchmen are not allowing the Petitioners to cultivate their Agricultural Land or to carry any activity as the said Respondents by colluding with the local Authorities are resorting to brutal criminal force as well as gun firing upon the Petitioners, whenever the Petitioners goes over their land.

(ii). For issuance of Writ in the nature of Mandamus, commanding the Respondent



Authorities, especially the Respondent No. 2 and 3, to ensure that the Private Respondents does not trespass over the Agriculture Land of the Petitioners situated at Village Parsa Dih, P.S. - Sahodara, District - West Champaran, in light of the Injunction Order dated 05.04.2023 (Annexure-P/3) passed by the S.D.O, Narkatiaganj in Case No. 109 of 2023 whereby the said Authority has issued necessary Injunction Order against the Private Respondent on the Application of Petitioner No.1, but despite issuance of the said order the Private Respondents with their illegal motive to grab the purchase Land of the Petitioner are not allowing the Petitioner either to cultivate the said land or derive usufructs of the land by resorting to illegal acts.

(iii). For issuance of Writ in the nature of Mandamus, commanding the Official Respondents to ensure that the Petitioners are able to exercise their Constitutional right of property over the land without any obstruction of the Private Respondents, who are intending to illegally grab the said land of the Petitioners and as such in furtherance of their illegal motive the Private Respondents since 2023 are causing immense trauma



upon the Petitioners both physically as well as mentally so that the Petitioners wave of their right over the land in question.

(iv). For issuance of Writ in the nature of Mandamus, commanding the Official Respondents, especially the Respondent No.2 to consider the detail representation of the Petitioners dated 03.04.2024 (Annexure P/4), by ensuring that the Petitioners are able to enjoy the usufructs of their Agriculture land, by providing adequate security to them."

2. After some arguments, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the Superintendent of Police, West Champaran, Bettiah for redressal of their aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

kanchan/-

U			
---	--	--	--

