

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8197 of 2024

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Shri Ram Safi @ Shriram Safi Son of Sakindra Safi, Resident of Village Nadai P.O. Gora Man Singh, Nadai, Police Station- Bargaon, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Additional Chief Secretary (Home) Police, Bihar, Patna.
4. Commissioner, Darbhanga Division, Darbhanga.
5. The District Magistrate, Darbhanga
6. The Senior Superintendent of Police, Darbhanga.
7. The Superintendent of Police, Rural, Darbhanga
8. The Sub-Divisional Officer, Biroul, Darbhanga.
9. The Sub-Divisional Police Officer, Biroul, Darbhanga
10. The Sub-Divisional Public Grievance Redressal Officer, Biraul, Darbhanga
11. The Circle officer, Gaura Bauram, Darbhanga.
12. The Block Development Officer, Gaura Bauram, Darbhanga,
13. The Officer-in-Charge, Bargaon Police Station, Darbhanga
14. Chotkan Sahu, Son of Tofu Sahu. resident of Village- Nadai, P.S. Gora Man Singh, P.S. Bargaon, District- Darbhanga.
15. Arun Sahy, Son of Late Asharfi Sahu resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
16. Md. Samsul Nadaf, Son of Md. Sadik Nadaf. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
17. Md. Nasir Nadaf, Son of Md. Hanif Nadaf. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
18. Arun Sahu, Son of Late Prem Sahu. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
19. Madan Rai, Son of Late Mahiram Rai. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
20. Umesh Rai, Son of Late Saryug Rai. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
21. Uma Rai, Son of Late Fekan Rai. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
22. Ravi Rai, Son of Late Bindeshwar Rai. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
23. Upendra Rai, Son of Late Khakhar Rai. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.



24. Radhey Rai, Son of Late Sukumar Rai. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
25. Anandi Sahu, Son of Late Sukdeo Sahu. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
26. Md. Suleman Nadaf, Son of Murhum Wadri Nadaf. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
27. Md. Jalil Nadaf, son of Murhum Anish Nadaf. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
28. Md. Wasir Nadaf, Son of Murhum Mazhar Nadaf. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
29. Md. Bachcha Nadaf, son of Murhum Safid Nadaf. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
30. Md. Balbabu Nadaf, Son of Murhum Washil Nadaf. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
31. Dhaneshwar Sharma, Son of Late Siphil Sharma. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
32. Ghuran Safi, Son of Late Lelahu Safi. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.
33. Shyam Rai, Son of Late Batahu Rai. resident of Village- Nadai, P.S.- Gora Man Singh, P.S.- Bargaon, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prafull Chandra Jha, Advocate
For the State	:	Mr. Sunil Kumar Mandal, SC-3 Mr. Bipin Kumar, AC to SC-3
For respondent no.14 to 33:		Ms. Shama Singh, Advocate (virtual mode) Ms. Asmita, Advocate Mr. Shreya, Advocate

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 directing the respondent authorities specially the respondent no.5 and 6 to remove the encroachment from Govt. Pond which is situated at Revenue Thana No.328, Khata No. 559 New, Khesara No. 2416, total area 3 Bigha 15 Katha, which is a Pond and in



old Khatian also the land is shown as Govt. Pond on the ground that the respondents no.14 to 33 have encroached the maximum area/part of the said Govt. Pond by way of constructing house/huts which is completely illegal in the eyes of law.

ii) For directing the respondent authorities specially the District Magistrate, the respondent no.5 and the Senior Superintendent of Police, Darbhanga, the respondent no.6 to deploy Magistrate and police force on the spot for removal of encroachment where illegal encroachment has been done on the Govt. Pond which is Anadabad Bihar Land”.

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the Circle Officer, Gaura Bauram, Darbhanga for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. At this juncture, the learned counsel appearing for the respondents no.14 to 33 submits that the State respondents be directed to grant



due opportunity to the respondents No.14 to 33 to put forth their defence and the principles of natural justice be complied with, before any adverse action is taken by the Circle Officer, Gaura Bauram, Darbhanga qua them. It is directed, accordingly.

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

(Mohit Kumar Shah, J)

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