

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8854 of 2023

1. Upendra Kumar @ Upendra Ray son of Late Maldhani Ray, Permanent resident of Village-Shukulpurva, Police Station Sonhan, District Kaimur (Bhabhua).
2. Ramji Rai, son of Late Maldhani Ray, Permanent resident of Village-Shukulpurva, Police Station Sonhan, District Kaimur (Bhabhua).
3. Jitendra Kumar Rai, son of Late Maldhani Ray, Permanent resident of Village-Shukulpurva, Police Station Sonhan, District Kaimur (Bhabhua).
4. Shyam Sunder Rai, son of Late Maldhani Ray, Permanent resident of Village-Shukulpurva, Police Station Sonhan, District Kaimur (Bhabhua).
5. Mukesh Kumar Rai, son of Late Maldhani Ray, Permanent resident of Village-Shukulpurva, Police Station Sonhan, District Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Patna.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Revenue, Govt. of Bihar, Patna.
4. The Divisional Commissioner, Patna.
5. The Deputy Inspector General of Police, Shahabad Range, Dehari on Sone, Rohtas.
6. The District Magistrate, Kaimur, Bhabhua.
7. The Superintendent of Police, Kaimur, Bhabhua.
8. The Sub Divisional Officer, Kaimur, Bhabhua.
9. The Deputy Collector Land Reforms, Bhabhua, District Kaimur.
10. The Circle Officer, Bhabhua, District Kaimur.
11. The Station House Officer, Police Station Sonhan, District Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dinesh Maharaj, Advocate
For the Respondent/s	:	Mr.Md. N.H. Khan (Sc1)
		Ms.Babita Kumari, AC to SC-1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 10-12-2024 1. The present petition has been filed for directing the respondents to restore the possession of the petitioners over the land appertaining to Khata No.21, Plot No.43, admeasuring 0.17 acre, situated at Mauza-Shukulpurva, Thana No.678, District-Kaimur at Bhabhua.



2. At the outset, the learned counsel for the petitioners submits that without giving any notice much less initiating any encroachment proceeding, the structure constructed over the premises in question and the agricultural articles belonging to the petitioners have been demolished by the respondents illegally and then the petitioners have also been evicted from the aforesaid premises in question, however, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the District Magistrate, Kaimur at Bhabhua for the purposes of filing a wholesome representation, annexing all the documents in their favor, nonetheless, seeks a direction upon the District Magistrate, Kaimur at Bhabhua to decide the same within a stipulated time frame. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed by the petitioners, regarding their aforesaid grievances within a period of four weeks from today, the District Magistrate, Kaimur at Bhabhua shall consider the same, in accordance with law, make an inquiry and pass a reasoned and a speaking order within a period of six weeks, thereafter.

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

(Mohit Kumar Shah, J)

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