

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9587 of 2024

Virbahadur Ray Son of Late Sukul Ray @ Sukul Kurmi, Resident of Village
Katahariya, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the principal Secretary, Rural Works Department,
Government of Bihar, Patna.
2. The Collector, East Champaran at Motihari
3. The Superintendent of Police, East Champaran at Motihari
4. The Additional Collector, East Champaran at Motihari
5. The Sub-Divisional Officer, Chakiya, East Champaran at Motihari
6. The Circle Officer, Kalyanpur Block, East Champaran at Motihari
7. Parma Rai @ Parmanand Rai, Son of Dayali Rai, Resident of Village
Katahariya, P.S.- Kalyanpur, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Respondent/s : Mr.Government Pleader (06)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-07-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1. That, this writ application is being filed for
issuance of appropriate writ/ writs, order/ orders,
direction/ directions to the respondents authority
in nature of Mandamus for setting aside and for
an order restraining the respondent authorities
from interfering with his peaceful possession and
from demolishing any structures on the disputed
land in pursuance of the notice contained in
Memo No.402 dated 10.05.2024 issued by learned
Circle Officer, Kalyanpur Block, East Champaran*



at Motihari, whereby and whereunder eviction and demolition has been scheduled dated 28.05.2024 in a proceeding under Encroachment Case No.15/2015-16 in Mauza Kathariya, Khata No.116, Khesra No.1253 under Thana No.53 alleged to be Gairmazarua Land falls under the village Road, violating the principal of Natural Justice in collusion with Parmanand Rai a Land owner adjacent to Land in question, passed Ex Parte order against the petitioner who is in peaceful actual possession having title of Land dwelling his house upon it, residing since 1929, is exempted under section 6 of the B.P.L.E. Act, 1956, hence this writ application.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the District Magistrate, East Champaran at Motihari, to dispose off the Land Encroachment Appeal No.6 of 2024-25, filed by the petitioner, within a stipulated time frame, preferably, within a period of six weeks from today. It is directed accordingly.

3. Accordingly, the writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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