

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10744 of 2024

Navin Kumar Gupta Son of Ramesh Kumar Gupta Resident of Sanhauliganj,
P.S. Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land Revenue , Government of Bihar, Patna.
3. The District Magistrate, Khagaria.
4. The Superintendent of Police, Khagaria.
5. The Dy. Superintendent of Police, Khagaria.
6. The sub- Divisional Officer, Sadar, Khagaria.
7. The Officer-in-charge, Town Police Station, Khagaria.
8. The Anchal Adhikari, Khagaria.
9. Bulbul Choudhary, Son of Umesh Choudhary Resident of Sanhauli, P.S. Chitragupt Nagar, District- Khagaria.
10. Rajeev Prasad Sinha, Son of Krishnandan Prasad, Resident of Sanhauli, P.S. Chitragupt Nagar, District- Khagaria.
11. Chandan Singh, Son of Balbhadra Prasad Singh Resident of Sanhauli, P.S. Chitragupt Nagar, District- Khagaria.
12. Chandan Mandal Son of Bharat Mandal, Resident of Sanhauli, P.S. Chitragupt Nagar, District- Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abdul Mannan Khan, Adv.
Mr. Hafiz Shahbaz Arif, Adv.
For the Respondent/s : Mr. Uday Shankar Sharan Singh, GP-19

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 23-07-2024

Heard learned counsel for the parties.

2. In this writ petition, the petitioner has prays for
following relief/s:-

*“1(i) For issuance of an appropriate
writ, irder or direction restraining the local*



administration from facilitating the private respondents from erecting a boundary wall and other building structures on the land in question by grabbing the petitioner's raiyati land and by dispossessing him from the land in question.

(ii) For issuance of an appropriate writ, order or direction commanding the respondents to provide protection to the petitioner in respect of his life and the land mentioned in this writ petition.

(iii) For issuance of an appropriate writ, order or direction for grant of ad-interim stay of the construction of boundary wall and other building structures upon the land in question during the pendency of this writ petition.

(iv) For issuance of an appropriate writ, order or direction restraining the respondents from interfering in the peaceful possession and occupation of the petitioner in respect of the land in question.”

3. The matter relates to 2 Acres 36 Decimals of land in Mauza Sanhauili, Thana No. 268, Tauzi No. 4963, Khata No. 282, Khesra No. 498.

4. Learned counsel for the petitioner submits that the petitioner has earlier moved before this Court in C.W.J.C. No. 4767 of 2022 for providing protection in respect of his life and the land mentioned in the writ petition as well as for



direction restraining the respondents from interfering in the peaceful possession and occupation of the petitioner in respect of the land in question. The aforesaid writ application, vide order dated 19.12.2022, was disposed off, as not pressed, granting liberty to the petitioner to avail such other alternative remedies, as are available under the law.

5. Learned counsel for the petitioner further submits that after disposal of the aforesaid C.W.J.C. No. 4767 of 2022, the petitioner filed his representation dated 23.12.2022 before the Collector cum District Magistrate, Khagaria/Respondent No.3 but, the same has not been disposed of as yet and seeks a direction from this Court for disposal of the same.

6. Learned counsel for the State has not filed counter affidavit in the matter but, states that in case the aforesaid representation dated 23.12.2022 is still pending, the same may be disposed off, within a stipulated time frame, as is fixed by this Hon'ble Court.

7. Having regard to the facts and circumstances of the case, this Court deems it fit and proper to direct the District Magistrate, Khagaria/Respondent No.3 to dispose off the aforesaid representation, in case the same has not yet been



disposed off, by passing a final order in accordance with law and after hearing the affected parties, within a period of four weeks from the date of receipt/production of a copy of this order.

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

(Rudra Prakash Mishra, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.07.2024
Transmission Date	

