

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10971 of 2024**

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Gurudeo Jha S/o - Late Ganesh Jha, R/o village- Khajuri, P.S.- Simri  
Bakhtiyarpur (Balwahatt O.P.), District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, the revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The Sub-Divisional Magistrate Simri Bakhtiyarpur, District- Saharsa.
5. The Circle Officer, Simri, Bakhtiyarpur, District- Saharsa.
6. The Superintendent of Police, Saharsa, District- Saharsa.
7. The Sub-divisional Police Officer, Simri Bakhtiyarpur, District - Saharsa.
8. The Officer-In-Charge, Balwahatt O.P., P.S. - Simri Bakhtiyarpur, District - Saharsa.
9. The Officer-In-Charge, Simri Bakhtiyarpur P.S., District- Saharsa.
10. Gautam Ray, Son of Late Jagdish Ray, R/o Village - Khajuri, P.S. - Simri Bakhtiyarpur (Balwahatt O.P.), District- Saharsa.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Madhav Jha, Advocate  
For the Respondent/s : Mr. Government Pleader-14

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

**ORAL JUDGMENT**

**Date : 25-07-2024**

Heard learned counsel for the petitioner and learned  
counsel for the respondents.

2. The petitioner has filed this writ application for the  
following relief/s :-

*“For issuance of order/orders,  
direction/directions, writ/writs especially in*



*the nature of mandamus for direction to concerned respondents for consideration of the application dated 21.01.2022 and 03.06.2024 (Annexure-2) filed before the respondents, which are still pending for due consideration. Whereas the representation of petitioner namely Gurudeo Jha has not considered till date by the concerned respondents eastern part of land bearing Khata old 70, khesra old 2102, Khesra new-3244, has forcibly captured by respondent no. 10 by making road and other construction on eastern part of land.*

*(ii) For further issue direction to respondents concerned for restrain the criminal element who are illegally encroached purchased land in the name of mother of petitioner by a registered sale deed (Kewala) No. 9270 dt. 14.07.2000 and disturb to take physical possession of the purchased land.*

*(iii) For further give other legal consequential benefit to the petition.”*

3. Learned counsel for the petitioner submits that the land in-question was purchased in the name of mother of the petitioner bearing Khata No old- 70, Khesra Old- 2102, Khesra New- 3244, *vide* registered sale deed No. 9270, dated 14-07-2000 (Annexure- P/1) and Jamabandi No. 1025 in the



name of Massomat Sita Devi, wife of Later Ganesh Jha and also executed latest revenue receipt in her name.

4. Learned counsel for the petitioner further submits that since the purchase of the land, one Gautam Ray (respondent No.10) encroached the canal land and constructed his house and forcibly made road on the part of the land, which belongs to the petitioner.

5. He next submits that under the compelling circumstances, petitioner has filed representation dated 21-01-2022 and 03-06-2024, before the Circle Officer, Simri, Bakhtiyarpur, Saharsa (respondent No.5) through registered post for redressal of his grievance, which is enclosed at Annexure- P/2 series to the writ petition.

6. Learned counsel for the petitioner thus submits that representation dated 03-06-2024 filed before the Circle Officer, Simri, Bakhtiyarpur, Saharsa (respondent No.5), which is still pending consideration before him, may be disposed of in a given time frame.

7. On the other hand, learned counsel appearing for the State does not object to the grievance of the petitioner regarding disposal of representation dated 03-06-2024, filed before the Circle Officer, Simri, Bakhtiyarpur, Saharsa (respondent No.5).



8. Considering the facts and circumstances of the present case, this Court directs the Circle Officer, Simri, Bakhtiyarpur, Saharsa (respondent No.5) to dispose of the representation dated 03-06-2024 filed by the petitioner, in accordance with law, after affording opportunity of hearing to the parties concerned within a period of three months from the date of receipt/production of a copy of this order.
9. With the aforesaid direction, writ petition is disposed of.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N/A        |
| Uploading Date    | 31-07-2024 |
| Transmission Date | N/A        |

