

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11291 of 2024

Chhotak Sah Son of Late Gahit Sah, resident of village- Domariya (Sahjauli),
P.S.- Shahpur, District- Bhojpur, Ara (Bihar).

... .. Petitioner/s

Versus

1. State of Bihar through District Magistrate, Ara (Bhojpur).
2. The District Magistrate Ara (Bhojpur).
3. The Circle Officer, Shahpur (Bhojpur).
4. The Block Development Officer, Shahpur (Bhojpur).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Upadhyay, Adv.
For the Respondent/s : Mr.Government Pleader (6)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-08-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1.(i) In the nature of "Certiorari" for setting aside the letter as contained in memo number 1370 dated 26 December 2023 issued under the signature of Block Development Officer Shahpur, Bhojpur addressed to the petitioner whereby and where under it has been directed to him to remove the encroachment upon 650 square feet of land at village- Domariya, bearing Thana number 35, Khata No. 247 Khesra No. 499, where in the petitioner is residing after constructing the house taking benefit of Indira Aawas Yojana, which is a government land and if the encroachment is not removed then certificate case shall be lodged against the petitioner.



(ii) In the nature of "Mandamus" directing and commanding the respondent authority not to remove the petitioner from the aforesaid piece of land as the petitioner is landless and residing upon it right from the date of his birth and has made a house under Indira Aawas Yojana in the year 2012-2013."

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that for a period of four weeks from today, status quo existing as on today qua the land/house of the petitioner in question, shall be maintained, in order to enable the petitioner to avail appropriate alternative remedies, in accordance with law and obtain interim relief.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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