

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11380 of 2023

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Raju Chaudhary Son of Rajendra Chaudhary, Resident of village -
Suhavanpur, Sudhi, P.S.-Islampur, District - Nalanada.

... .. Petitioner/s

Versus

1. The State of Bihar Through Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector cum District Magistrate, Nalanda.
3. The Sub-Divisional Magistrate, Hilsa, District - Nalanda.
4. The Deputy Collector Land Reform, Hilsa, District Nalanda.
5. The Circle Officer, Islampur, Hilsa, District - Nalanda.
6. Parvati Devi Wife of Late Permanand Chaudhary, Daughter of Moti Chaudhary, Resident of village - Bisai Bigha, P.S. - Parbalpur, District - Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rikesh Sinha, Advocate
For the Respondent/s : Mrs. Nutan Sahay, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-04-2024 Heard Mr. Rikesh Sinha, learned counsel for the

petitioner and Mrs. Nutan Sahay representing the State.

2. The petitioner has prayed for the following reliefs:

*(i) to prohibit the official
respondents from disturbing the
petitioner from land of the petitioner
which was given to petitioner by his
uncle namely late Chandeshwar
Chaudhary from Vasikanama in his
life time and stop the whole*



proceeding launched by the respondents;

(ii) to set aside the memo no. 1638 dated 4.7.2023 (Annexure-P3) by which the Court of Circle Officer, Islampur, Hilsa, Nalanda issued notice to the petitioner;

(iii) for any other relief/reliefs as Your Lordship may deem fit and proper.

3. Learned counsel for the petitioner submits that with regard to land in question, the Title Suit No. 20 of 2023 has already been filed before the learned Sub-Judge-I, Hilsa, Nalanda between him and respondent no.6 and even then notice was issued by the office of the Circle Officer, Islampur, Nalanda vide memo no. 1638 dated 4.7.2023 to get out of the land in question.

4. A counter affidavit on behalf of the respondent nos. 2 to 5 duly signed by the Circle Officer, Islampur, Nalanda is on record and as per the paragraph-8, on 20.7.2023 itself, the respondents removed the petitioner from the land in question and handed it over to the respondent no.6.



5. Whether the petitioner approached the concerned Court where the Title Suit is pending for interim protection or not, it is not clear from the writ petition. In the reply to the counter affidavit, he has accepted that the petitioner is now no more on the land in question.

6. There is no supplementary affidavit/interlocutory application putting on record the said development that happened on 20.7.2023.

7. In that background, it would be appropriate that the petitioner diligently pursue the Title Suit No. 20 of 2023 pending before the learned Sub-Judge-I, Hilsa, Nalanda.

8. Learned counsel for the petitioner submits that he shall appear before the concerned Court so that the same is taken to its logical conclusion at the earliest.

9. In that background, the writ petition stands disposed of.

(Rajiv Roy, J)

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