

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12287 of 2024

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Ramji Sah Son of Late Chulhai Sah Resident of village- Magurahan, Anchal
and P.S. Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, East Champaran at Motihari.
3. The Additional Collector, District- East Champaran at Motihari.
4. Land Reforms Deputy Collector, Areraj, East Champaran.
5. The Circle Officer, Paharpur, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Adv.
For the Respondent/s : Mr.Addl. Advocate General 9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-08-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1. That this is an application for issuance of an appropriate writ, order or direction, particularly in the nature of Mandamus, directing the respondents not to take steps for demolition of full/part of doubled storeyed residential houses of the petitioner on the land situated at Mauja: Magurahan-13, Khata No. 45, Khesra No. 255, area- 2 decimals (6 dhur), within Anchal & Police Station: Paharpur, District: East Champaran, which is the purchased land of the petitioner, purchased through sale deed no. 1695 dated 12.03.2004 and since then petitioner is in



peaceful possession over the land in question but the Circle Officer, Paharpur has issued notice against the petitioner and without adopting the procedure according to law, the respondent authorities came to the house of petitioner and threatened to demolish the house of the petitioner forcefully during pendency of Title Suit No. 19 of 2022 filed by the petitioner for declaration of right, title and interest and for injunction also, in which Respondent Nos. 2 to 5 have withheld their appearance.

Further the respondent authorities be restrained to not take any action in light of the order dated 05.02.2021 passed in Encroachment Case No. 8/2020-21 and subsequently Jamabandi Cancellation Case No. 65/2022-23.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to pursue the injunction petition filed by the petitioner in the pending Title Suit No.19 of 2022, which is stated to be pending consideration before the Ld. Court of Sub-Judge, Areraj, East Champaran at Motihari, however, seeks some protection during the interregnum period. Liberty so sought is granted.

3. It is needless to state that for a period of eight 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 obtain interim relief from the learned Trial Court in the aforesaid title suit filed by him.

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

(Mohit Kumar Shah, J)

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