

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12370 of 2024

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Kanaklata wife of Sivendra Kumar Mishra, resident of Village- Chiraili, P.O.- Tekari, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Home Affairs Department, New Secretariat, Patna.
3. The District Magistrate, Gaya.
4. The Land Reforms Deputy Collector, Gaya Cum Additional Collector, Gaya.
5. The Sub-Divisional Officer, Tekari, Gaya.
6. The Senior Superintendent of Police, Gaya.
7. The Deputy Police Superintendent, Tekari Gaya.
8. The Circle Officer, Tekari, Gaya P.O. and P.S.- Tekari, District- Gaya.
9. The Officer-in-charge Tekari Police Station P.O. and P.S.- Tekari, District- Gaya.
10. Charitar Manjhi, Son of Dutan Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
11. Ghuriya Manjhi, Son of Charitar Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
12. Ganauri Manjhi, Son of Late Bishun Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
13. Kariman Manjhi, Son of Late Baishakhi Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
14. Butta Manjhi, Son of Late Moti Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
15. Hari Charan Manjhi, Son of Late Lakhan Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
16. Ratan Manjhi, Son of Late Lakhn Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
17. Surendra Manjhi, Son of Maheshwar Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
18. Jay Kumar Manjhi, Son of Karu Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
19. Riya Manjhi, D/o Late Karu Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
20. Jagdish Manjhi, Son of Late Musan Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
21. Chapu Manjhi, Son of Late Devraj Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.



22. Bharat Manjhi, Son of Late Devnandan Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
23. Ramwrat Manjhi, Son of Doma Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
24. Pheku Manjhi, Son of Late Narayan Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
25. Etwar Manjhi, Son of Late Majju Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
26. Sanjeev Manjhi, Son of Late Musan Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
27. Hasan Manjhi, Son of Late Bal Govind Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
28. Panna Manjhi, Son of Late Badhu Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
29. Badri Manjhi, Son of Late Bagannawa Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
30. Ramchandra Manjhi, Son of Late Nathun Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
31. Radhesh Manjhi, Son of Late Nathun Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
32. Awadhesh Manjhi, Son of Late Nathun Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
33. Netwa Manjhi, Son of Late Munshi Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
34. Mantawkhi Manjhi, Son of Late Sawgrau Nabhgu resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
35. Babuchand Manjhi, Son of Late Sawharai Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
36. Jatha Manjhi, Son of Late Ram Briksh Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
37. Bael Manjhi, Son of Late Mugheshwar Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
38. Lala Manjhi, Son of Late Rammeet Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
39. Premchndra Manjhi, Son of Late Baleshwar Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
40. Bhubneshwar Manjhi, Son of Late Bal Govind Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.
41. Surendra Manjhi, Son of Tetar Manjhi resident of Village- Chiraili, P.S.- Tekari, District- Gaya.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Respondent/s : Mr. Sanjay Kumar, Standing Counsel 15

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 19-08-2024

Heard Mr. Shailesh Kumar Singh, learned Advocate for the petitioner and Mr. Sanjay Kumar, learned Advocate for the State.

2. The petitioner by invoking the jurisdiction of this Court under Article 226 of the Constitution seeking a direction upon the respondent authorities to demarcate the land of the petitioner and remove the illegal encroachment from the land of the petitioner, which is said to have been encroached by private respondents with the help of anti-social elements and the politicians.

3. Learned Advocate for the petitioner contended that for redressal of the grievance, the petitioner has already approached before the Land Reforms Deputy Collector, Tekari, Gaya in Land Dispute Case No.81 of 2023-24 under the Bihar Land Dispute Resolution Act, 2009. Despite pendency of the aforementioned case, the private respondents have encroached upon the land of the petitioner and making unauthorized construction over it, compelling him to approach before this Court.

4. On the other hand, learned Advocate for the State



contended that the matter is pending before the LRDC, who is the competent authority under the Bihar Land Dispute Resolution Act, 2009 to consider the grievance of the petitioner and take appropriate action.

5. Having considered the submissions advanced on behalf of respective parties, this Court deems it apt and proper to dispose off the present writ petition with a direction to the respondent No.4 to take up the Land Dispute Case No.81 of 2023-24 and bring it to its logical conclusion preferably within a period of three months from the date of receipt/production of a copy of this order after giving proper opportunity to all the stakeholders.

6. The writ petition stands disposed off with the aforesaid direction.

(Harish Kumar, J)

durgesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.08.2024
Transmission Date	NA

