

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12823 of 2024

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Ramchandra @ Ramchandra Sahni S/o Late Saryug Sahni Resident of Village- Pakariya Tola Kubra, P.S. and Anchal- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Motihari, East Champaran.
2. Land Reform Deputy Collector, Areraj, East Champaran.
3. The Circle Officer, Harsidhi, East Champaran.
4. Manager Sahani, Son of Late Kangal Sahani Resident of Village- Pakariya Tola Kubra, P.S.- Harsidhi, District- East Champaran.
5. Sharwan Sahani, Son of Late Kangal Sahani Resident of Village- Pakariya Tola Kubra, P.S.- Harsidhi, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Adv.
For the Respondent/s : Mr. Ajay Behari Sinha, GA8

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 02-09-2024

Heard learned counsel for the parties.

2. In this writ application, the petitioner has prayed for following relief:-

“That this is an application for issuance of writ in the nature of Mandamus, order or orders, direction or directions commanding the respondents No.-3 to remove encroachment from the part land of Jamabandi No.-70 Khata no. 467 Khesra No. 3025 area 3 katha 3 dhur as has been encroached by respondent no.- 4 and 5 for which respondent no.- 4 and 5 filed earlier Land Dispute Redressal Case No. 216/2022-23 in the



court of respondent no.-2 against the petitioner but the said case was withdrawn on 4.7.2023 from the court of respondent no.-2 but up till now encroachment made over the aforesaid land by respondent no.-4 and 5 has not been removed as yet and further appropriate direction may be given to that effect.”

3. Learned counsel for the petitioner submits that the respondent nos. 4 & 5 have encroached some portion of land of Khata No. 467 and 468, Khesra No. 3025 Area 3 Katha 3 Dhur which was protested by the petitioner whereafter the respondent nos. 4 & 5 filed Land Dispute Redressal Case No. 216/2022-23 but, later on, the same was withdrawn by them. Learned counsel for the petitioner further submits that though the aforesaid Land Dispute Redressal Case No. 216/2022-23 was withdrawn but, the encroachment over the land, in question, i.e. Khata No. 467 and Khesra No. 3025 has not been removed as yet.

4. At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case he is granted a liberty to file a fresh representation before the respondent no.3 i.e. the Circle Officer, Harsidhi, East Champaran and the respondent no.3 may be directed to dispose of the same within a specified time frame.

5. Accordingly, it is directed that if the petitioner files



a representation with regard to removal of encroachment over the land, in question, before the Circle Officer, Harsidhi, East Champaran/respondent no.3 within a period of two weeks from today, the respondent no. 3 will dispose of the same in accordance with law and after affording an opportunity of personal hearing to all the parties concerned within a period of three months thereafter.

6. The writ petition is disposed of on the aforesaid terms.

(Rudra Prakash Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.09.2024
Transmission Date	

