

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13096 of 2024**

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Gonaaur Sah S/o Saryug Sah, R/o Gram Patahi, P.O. Patahi, P.S. Patahi,  
District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Dept.  
Govt. of Bihar, Patna.
2. Land Reforms Deputy Collector, Pakridayal, East Champaran.
3. Sub-Divisional Officer, Pakridayal, East Champaran.
4. Circle Officer, Patahi, Pakridayal, East Champaran.
5. Station Head Officer of Police Station, Patahi, East Champaran.
6. Satyendra Ram, S/o Garib Ram, Gram Patahi, P.S. Patahi, District-East  
Champaran.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate  
For the Respondent/s : Mr. Government Pleader 18

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

**ORAL JUDGMENT**

**Date : 05-09-2024**

Learned counsel for the petitioner is permitted to  
make necessary corrections in the name of Respondent No. 4.

2. Heard learned counsel for the petitioner and learned  
counsel for the State.

3. Following relief(s) have been prayed for in  
paragraph no. 1 of the present writ application.

*“1.i. To directed the Respondent no.3 & 4 to*



*initiate necessary actions against the Respondent no.5 for not complying with the Order dated 20.08.2022 passed in Case No.03/2022-23, passed by the Ld. Court of Land Reforms of Deputy Collector Parkriyal, East Champaran.*

*ii. To directed the Respondent No. 5 to remove his illegal possession over the said land in the question and evacuate the land as per the order passed by the Ld. Court of Land Reforms of Deputy Collector, Parkidayal, East Champaran.*

*iii. To direct other reliefs/s, other/s,direction/s, for which the petitioner found entitle for the same.”*

4. Learned counsel for the petitioner submits that the factual matrix of the case is that the disputed land having Survey No. 1314, Khata No. 22, Area-11 katta 07 Dhur was Raiyati Land and distributed in equal shares between one Jagdish Narayan Singh and Suraj Singh. Jagdish Narayan Singh died leaving behind his son, Girja Singh. Girja Singh executed the land of his share by the registered sale deed no. 2577, i.e. the



land bearing Khesra No. 1314, Khata No. 22 to Most. Chandravati Devi on 24.03.1992. Most. Chandrawati Devi through the registered sale deed dated 24.05.2013 transferred the said land to Krishna Patel and after the death of Krishna Patel his wife Most. Rekha Devi has transferred the said land by registered sale deed in favour of the petitioner on 27.08.2020. Learned counsel further submits that presently, petitioner has constructed a semi-pukka house with one room on the said disputed land and on 13.03.2022, Respondent No. 5 started creating unnecessary trouble.

5. Learned counsel further submits that due to the nuisance created by Respondent No. 6, the petitioner filed a case, i.e., Land Dispute Case No. 03/2022 before DCLR, Pakridayal. Thereafter, the Land Reforms Deputy Collector, Pakridayal, East Champaran, after hearing both the parties and making enquiry into the matter found that the petitioner is bona fide owner of the said land in question and accordingly, passed the order dated 20.08.2022 (Annexure-P/3 to the present writ petition) wherein the court observed the petitioner's right over the disputed land and directed the Respondent No. 6 to immediately remove the illegal encroachment from the said land and also directed the Respondent Nos. 4 and 5 to take necessary



actions in removing the encroachment over the said land. Learned counsel further submits that Respondent Nos. 4 and 5 have not complied the said order dated 20.08.2022 passed by the Court of Land Reforms of Deputy Collector as yet. Learned counsel, therefore, prays that in view of the said order dated 20.08.2022 (Annexure-P/3), Respondent Nos. 4 and 5 be directed to comply the said order and immediately remove the illegal encroachment from the land in question.

6. Learned counsel for the State raised no objection to the prayer made on behalf of the petitioner for compliance of the order dated 20.08.2022(Annexure-P/3).

7. Considering the aforesaid facts and circumstances, and the averments made on behalf of the parties, the petitioner is directed to submit a fresh representation before the Circle Officer, Patahi, Pakridayal, East Champaran within a period of six weeks from today along with relevant documents. If any such application is filed, the concerned Circle Officer shall consider the same after perusing the documents filed on behalf of the petitioner and pass reasoned and speaking order in accordance with law within a period of three months from the date of filing of the representation by the petitioner.

8. With the aforesaid observation/direction, the



present writ application stands disposed of.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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