

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13403 of 2024

Girija Devi @ Girja Devi, W/o-Dinesh Kumar, R/O Abhiyanta Nagar, Near-
NTPC Colony, New Jaganpura, P.S-Ram Krishna Nagar, Dist-Patna 800027.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Revenue and Land Reforms, Govt, of Bihar, Patna
2. The District Magistrate Patna, Dist.-Patna.
3. The Deputy Collector Land Reforms (DCLR), Patna.
4. The Circle Officer Fulwari Sharif, Patna.
5. The City S.P. Patna, Dist.-Patna.
6. The Thana Adyaksh, Ram Krishna Nagar, Police Station, Patna.
7. Manoj Kumar, S/o Chhotan Prasad, R/o-Mohalla-East Ram Krishna Nagar, N.T.P.C. Colony, P.S.-Ram Krishna Nagar, Patna, Dist.-Patna.
8. Awadhesh Mandal, S/o Late Khanhai Mandal, R/o-Mohalla-Purvi Ram Krishna Nagar, N.T.P.C. Colony, Abhiyanta Nagar, P.S.-Ram Krishna Nagar, Dist.-Patna.
9. Nitish Kumar, S/o Rajendra Prasad, R/o-Vill.-Khanhaipur, P.S.-Mokama, Dist.-Patna 803221, Present R/o-Mohalla-Purvi Ram Krishna Nagar, N.T.P.C. Colony, Abhiyanta Nagar, P.S.-Ram Krishna Nagar, Dist.-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar No. 1, Advocate
For the Respondent/s : Mr. Harish Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-09-2024 Heard Mr. Arun Kumar No. 1, learned Advocate for

the petitioner and Mr. Harish Singh, learned Advocate for the

State.

2. The petitioner by filing the present writ petition
seeking a direction upon the respondents to displace the
unauthorized occupants over the land of the petitioner situated



at Mauza – Jaganpura bearing Khata No. 76, Plot No.551 admeasuring area of 1 Khattha, 5 Dhur and 10 Dhurki bearing Jamabandi No. 1323 in the name of the petitioner.

3. The petitioner also sought for a direction upon the respondent to demarcate and measure the land of the petitioner which was purchased by her through the registered sale deed dated 12.10.2007, from one Manoj Kumar.

4. Learned Advocate for the petitioner contended that the land in question was purchased by the petitioner through a registered sale deed dated 12.10.2007 and mutation was done in favour of the petitioner. Subsequent thereto jamabandi has also been created vide Jamabandi No. 1323 through order dated 09.09.2013, the copy of which has been placed on record as Annexure 2.

5. It is next contended that on account of the hindrances being created by private respondent, the petitioner had approached before the learned DCLR in Land Dispute Case No. 188 of 2013-14.

6. Having considered the claim of the petitioner and upon a detailed enquiry and spot verification the learned DCLR, Patna Sadar vide order dated 12.08.2014 has passed order in favour of the petitioner, directing the private respondent, who is



respondent no. 8 herein, to remove the encroachment made over the land of the petitioner. Despite the aforesaid order the private respondents are making hindrances over the peaceful enjoyment of the petitioner and trying to grab the land.

7. At this juncture, learned Advocate for the petitioner submitted that *prima facie* from the averments made in the writ petition, it appears that the land in question has been sold in favour of other persons subsequent to the purchase of the petitioner.

8. Be that as it may, considering the fact that there is already an order in favour of the petitioner passed by the DCLR, Patna Sadar way back on 12.08.2014, the writ petition is disposed off with a liberty to the petitioner to approach before the DCLR by filing an appropriate application, with all the details, including the reason for delay, for execution of the order as provided under Section 15 of the Bihar Land Dispute Resolution Act, 2009.

9. In case the petitioner files such application within a period of two weeks from today, the learned DCLR shall look into the matter and after making proper enquiry and giving notice to other stakeholders, pass necessary order, within a further period of three months.



10. The writ petition stands disposed off.

(Harish Kumar, J)

supratim/-

U			
---	--	--	--

