

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14652 of 2023

Vindeshwari Sahani @ Kilo Son of Gagai Sahni, resident of Village and P.O.-Kumhrauli, Ward No. -5, Tataila, Mukhiaji Tol, Police Station-Kamtaul, Block-Jale, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Principal Secretary Environment, Forest and Climate Change Department, Bihar, Patna.
3. The Divisional Commissioner, Darbhanga.
4. The Collector-cum-District Magistrate, Darbhanga.
5. The Divisional Forest Officer, Mithila Range Division, Darbhanga.
6. Sub Divisional Officer, Sadar, Darbhanga.
7. The Land Reforms Deputy Collector, Darbhanga.
8. The Circle Officer, Jale, District-Darbhangha.
9. The S.H.O. Kamtaul Police Station, District-Darbhangha.
10. The Mukhiya, Gram Panchayat Raj Radhi East, Block Jale, District-Darbhangha.
11. Quazi Fedaul Haque, son of Quazi Md. Mumtazul Haque, resident of Village and Post-Kumhrauli, Police Station-Kamtaul, District-Darbhangha.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Upendra Prasad Singh, Adv.
For the Respondent/s : Mr.Sajid Salim Khan (SC-25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 17-12-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of an appropriate writ(s), order(s) or direction(s) for quashing that part of the order dated 24.01.2023, passed by the Collector-cum-District Magistrate, Darbhanga, in Encroachment Appeal Case No.86 of 2019, by which



the Circle Officer, Jale, District-Darbhanga has been directed to cut a palm tree, situated at Khesra No.18592(old), situated adjacent to wall of the mandir, in accordance with law, by making correspondence with the Forest Department. However, the claim of the appellant (respondent no.11) is not permissible in the eyes of law.

(ii) To direct the concerned respondent authorities to maintain status quo over the land in dispute as there is every chance that law and order problem may arise and peace and communal harmony may be disturbed.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the learned Civil Court having competent jurisdiction, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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