

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14527 of 2023

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1. Binod Paswan S/o Late Bipat Paswan Resident of Village- Basjoua, P.S. - Dhaka (O.P.), Pachpakari, District - East Champaran.
 2. Banhu Paswan @ Banu Paswan, S/o Bhabhichhan Paswan, Resident of Village- Basjoua, P.S. - Dhaka (O.P.), Pachpakari, District - East Champaran.
 3. Bhagya Narayan Paswan, S/o Late Lagan Paswan, Resident of Village- Basjoua, P.S. - Dhaka (O.P.), Pachpakari, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department, Bihar, Patna.
2. The Collector, Motihari, West Champaran.
3. The S.D.O. Sikarhana, Dhaka, Motihar, West Champaran.
4. The Circle Officer, Dhaka, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Mukesh Kumar Suman, Advocate
For the State	:	Ms. Nutan Sahay, AC to AAG-12
For Intervenor Respondents:		Mr. Sunil Kumar No. 3, Advocate
		Mr. Bijendra Kumar, Advocate
		Mr. R. Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-02-2024

Re: Interlocutory Application No. 01 of 2024:-

This interlocutory application has been filed to intervene in the present writ application the following persons impleading them as party respondents viz Respondent Nos. 5 to 13:-

- “1. Ram Babu Ray, Son of Mohar Ray**
- 2. Ram Pukar Yadav, Son of Mohar Ray**
- 3. Jokhu Ray, Son of Teza Ray**
- 4. Shiv Chandra Yadav @ Shiv Chandra Ray, Son of Teza Ray**



- 5. Uma Shankar Yadav @ Uma Shankar Ray, Son of Kishor Ray**
- 6. Chhotan Yadav, Son of Kishor Ray**
- 7. Gurdel Ray, Son of Kishor Ray**
- 8. Vinod Rai, Son of Mohar Ray**
- 9. Prem Ray, Son of Kishor Ray, All residents of village- Basahiya, P.O.- Bhandar, P.S.- Dhaka, District- East Champaran.”**

2. In view of the reasons assigned in the application, Interlocutory Application No. 1 of 2024 is allowed. The above named persons are impleaded as party Respondent Nos. 5 to 13 in the present writ application.

3. Office is directed to make the necessary changes in the cause title and computer records.

Re: C.W.J.C. No. 14527 of 2023:-

4. Heard learned counsels for the parties.
5. This writ application has been filed for the following reliefs:-

“I. For direction to the respondents to settle the land by way of Basgit Parcha appertaining to Mauza- Bhandar, Thana No.187, Khata No.816, Khesra No.5498 to these down trodden landless persons who has been residing at this place for more than 30 years at the flank side of Government pond in village Basahiya under Dhaka Circle.

II. For direction to the respondent authorities not to take any initiative to remove these petitioners



and other similarly situated persons from land in question without providing them alternative arrangements to reside.

III. For taking stern actions against erring respondents especially respondent No.4 who all of a sudden, reached over the land on 25.07.2023 and started removing their huts and as such they caused monetary loss to these petitioners and other similarly persons who mend again their house at the same place.

IV. For any other relief/reliefs as your Lordship may deem fit and proper.”

6. After some arguments, learned counsel for the petitioners requests for disposal of the present writ application granting liberty to the petitioners to move before the Collector, Motihari, District- East Champaran, with respect to their grievance.

7. In view of the prayer made on behalf of the petitioners, this writ application is disposed of with liberty to the petitioner to move before the Collector, Motihari, District- East Champaran.

8. If the petitioners file their representation along with a copy of this order before the Collector, Motihari, District- East Champaran within a period of six weeks from today, the same shall be entertained and the order shall be passed expeditiously, in accordance with law, after hearing the parties including the intervenor respondents herein, preferably within a period of six months from the date of filing of the



representation.

(Prabhat Kumar Singh, J)

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