

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14956 of 2024

Sanjay Mishra @ Sheo Prasad Mishra S/o Maheshdat Mishra @ Buchan Mishra R/o Village and P.O.-Dawan, P.S.-Jagdishpur, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Land and Revenue Department, Patna.
2. The District Magistrate Bhojpur
3. The D.C.L.R. Jagdishpur, Bhojpur
4. The Circle Officer jagdishpur Bhojpur
5. Ram Nath Mishra S/o Late Buchan Mishra Village-Dawan, P.S.-Jagdishpur District-Bhojpur.
6. Ram Chandar Mishra S/o Late Buchan Mishra Village-Dawan, P.S.-Jagdishpur District-Bhojpur.
7. Ram Lakhan Mishra S/o Buchan Mishra R/o Village-Dawan, P.S.-Jagdishpur District-Bhojpur.
8. Ram Prasad Mishra @ Vakil Mishra S/o Buchan Mishra R/o Village-Dawan, P.S.-Jagdishpur District-Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.
For the Respondent/s : Mr. Government Pleader (18)

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 30-09-2024

Heard leaned counsel for the parties.

2. The present writ petition has been filed seeking
the following relief:-

*"1. a) To direct the Respondent No.-2 -4
to remove the encroachment in view of Order
dated 6.11.2023 passed by D.C.L.R. Jagdishpur
Bhojpur in Case No.-46/2023-24 under Bihar
Land Dispute resolution Act, 2009, whereby*



and where under the learned D.C.L.R. directed the C.O. Jagdishpur to remove the encroachment upon the land bearing Mauza-Dawan, Thana No.-198 Circle Jagdishpur Khata no.- 1605, Plot No.-7645 area -2 decimal out of 62.5 decimals boundary, North, South East, West, Nij Petitioner and performa, Respondents/ Respondents 3rd set."

3. The matter relates to the land bearing Mauza Dawan, Thana No. 198, Khata No. 1605, Plot Not 7645, Area 2 decimal out of 62.5 decimal.

4. Learned counsel for the petitioner submits the petitioner and respondent 3rd set filed a petition before the Deputy Collector Land Reforms, Jagdishpur, Bhojpur (Respondent No.3) under the Bihar Land Dispute Resolution Act, 2009 bearing Case No. 46/2023-24 and the same was decided on 06.11.2023 in favour of the petitioner and the respondent 3rd set. He further submits that the petitioner also filed a representation before the Circle Officer, Jagdishpur for removal of encroachment from the land, in question but, no action was taken by him. Thereafter, the petitioner filed a petition before the D.C.L.R., Jagdishpur,



Bhojpur on 04.01.2024 and 18.01.2024 respectively but, the no action was taken by him.

5. Learned counsel for the petitioner further submits that the petitioner has also filed a representation (Annexure-P/4) which is also pending consideration and has not been disposed of as yet.

6. Finally, learned counsel for the petitioner submits that the petitioner would be satisfied in case he is granted liberty to file a fresh representation before the respondent no.4 and the respondent no.4 may be directed to dispose of the same within a specified time frame.

7. The learned counsel for the respondent-State submits that in case a fresh representation is filed by the petitioner before the respondent no.4, the same shall be disposed of within a stipulated time frame as is fixed by this Hon'ble Court.

8. Accordingly, it is directed that if the petitioner files a fresh representation along with all relevant documents for compliance of the aforesaid order dated 06.11.2023 passed by the Deputy Collector Land Reforms, Jagdishpur,



Bhojpur before the Circle Officer, Jagdishpur, Bhojpur (Respondent No.4) within a period of two weeks from today, the same shall be disposed of within a period of six weeks thereafter in accordance with law and after affording an opportunity of hearing to all the parties concerned.

9. The writ petition stands disposed of on the aforesaid terms.

(Rudra Prakash Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.10.2024
Transmission Date	

