

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15388 of 2024

Kalavati Devi, wife of Ashutosh Kumar, resident of Village-Sankari Basamanpur, P.S.-Piro, District-Bhojpur, at present residence Village-Katar, P.S.-Piro, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Addl. Chief Secretary, Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Bhojpur at Ara.
4. The Sub-Divisional Officer, Piro, District-Bhojpur.
5. The Circle Officer, Piro, District-Bhojpur.
6. Janardan Singh, son of Late Suraj Singh, resident of Village-Katar, P.S.-Piro, District-Bhojpur.
7. Kedar Sah, son of Harihar Singh, resident of Village-Katar, P.S.-Piro, District-Bhojpur.
8. Manu Kumar @ Kumar Abhay, son of Kedar Sah, resident of Village-Katar, P.S.-Piro, District-Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mrs. Sweta Burnwal, Advocate
For the Respondent/s : Mr. M.N.H. Khan, SC-1

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-10-2024 Heard the parties.

2. The present application has been filed seeking a direction upon the respondent to remove the encroachment as has been done by the respondent second set over the petitioner's land appertaining to Mauja-Katar, Thana No. 122, Khata No. 187, Khesra no. 1484, which land has been purchased by the petitioner through a registered sale deed and the petitioner has been coming over the same by constructing a house.

3. Learned Advocate for the petitioner contended that



despite a representation filed before the respondent authorities for demarcation of the land, the same has not been done.

4. Learned Advocate for the State countering the contention of the petitioner submits that the relief sought for in the present writ petition is wholly misconceived as the petitioner has remedy before the Civil Court.

5. This Court finds substance in the submission of the State.

6. At this juncture, the learned Advocate for the petitioner submits that the petitioner seeks a demarcation of the land before approaching the Civil Court and for the said purpose he had approached before the Circle Officer, but the same has not been done.

7. Be that as it may, if the petitioner files an application before the concerned Circle Officer for demarcation of the land, the same must be done after accepting the adequate fee for the same, in accordance with law, preferably within a period of three months from the date of receipt/production of a copy of this order.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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