

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16551 of 2024

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Smt. Lila Devi W/o- Ramashray Chaudhary Resident of Ward No.- 23, P.O.-
Khagaria, P.S.- Khagaria Town, District- Khagaria, Bihar- 851204.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate-cum- Collector, Khagaria.
3. The Sub- Divisional Officer, Khagaria.
4. The Circle Officer, Khagaria.
5. The Superintendent of Police, Khagaria.
6. The SHO, Khagaria Town, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Respondent/s : Government Pleader - 05

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-10-2024 1. Heard learned counsel for the petitioner and learned
GP-5.

2. Learned counsel for the petitioner submits that the
instant writ application has been filed seeking direction upon the
respondent to appoint a Magistrate and provide police protection
to the petitioner for making boundary over the land pertaining to
Khata No. 84/74, Khesra No. 75, Mauza Hajipur, Thna No. 267,
area 10 dhur, District Khagaria.

3. Learned counsel for the petitioner submits that
inadvertently at para-1 of the writ application, area of the land
has been pleaded as "10 decimal", when it ought to have been



"10 dhur".

4. Learned counsel for the petitioner submits that petitioner is owner of the land bearing Khata No. 84/74, Khesra No. 75, Mauza Hajipur, Thna No. 267, area 10 dhur, District Khagaria, which the petitioner had purchased from Sunita Devi, vide sale deed No. 331, dated 7-2-2017 (Annexure-1). It is submitted that after purchasing the land, the petitioner came in possession over the same and thereafter the land was mutated in her favour and Jamabandi No. 1929 was created, further municipality created Holding No. 123 and the petitioner is paying rent to the State. It is submitted that thereafter the petitioner obtained permission from the authority competent for constructing house over the land in question, when some musclemen of the area started objecting, accordingly she filed Measurement Case No. 10/2020-21 before the Circle Officer Khagaria for measuring her plot. It is submitted that in pursuance of Measurement Case No. 10/2020-21, the *Anchal Amin* visited the plot and conducted measurement of the land in presence of the petitioner and aggrieved persons, thereafter the Nazari Naksha (sketch map) of the plot was prepared and sent to the Circle Officer, Khagaria on 21-1-2021 (Annexure-3 series). It is submitted that after the land was measured, the petitioner



moved before the Circle Officer and the S.H.O of the concerned Police Station for giving her protection for constructing boundary over the measured land for which she filed an application before the S.H.O. It is submitted that the petitioner since 21-8-2021 is running from pillar to post, but till date she has not been able to construct the boundary over the measured land as the protection has not been granted. It is further submitted that the Circle Officer while his Letter No. 1308 dated 2-8-2022, requested the S.D.O Khagaria to provide police protection for making boundary of the land of the petitioner, but then no action was taken.

5. The learned counsel appearing on behalf of the State submits that the writ application be disposed of with a direction to the Sub-Divisional Officer, Khagaria to dispose of the Letter No. 1308 dated to 2-8-2022 issued by the Circle Officer (Annexure-7).

6. Considering the learned counsel for the parties, the writ application is disposed of with a direction to the S.D.O, Khagaria to dispose of the Letter No. 1308 dated 2-8-2022 issued by the Circle Officer addressed to him, in accordance with law.

7. The Court expects that the S.D.O, Khagaria shall



take a decision in terms of the letter of Circle Officer dated 2-8-2022 within a period of six weeks from date of receipt/production of a copy of this order, in accordance with law.

(Satyavrat Verma, J)

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