

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17330 of 2024

Nanhe Kumar alias Satrajeet Upadhyaya Son of Late Ram Janam Upadhyaya
@ Ram Janam Resident of Village - Bhikhampur Raod, Sankat Mochan
Nagar, Ambedkar Nagar Ward No. 1, P.O. and P.S. and District - Deoria (Uttar
Pradesh), At Present Residing at Village - Upadhyaya Chhapar, P.S. - Mairwa,
District – Siwan Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector-cum-District Magistrate, Siwan.
3. The Sub Divisional Officer, Siwan.
4. The Circle Officer, Mairwa, Siwan.
5. Jitendra Yadav @ Lulha Son of Ramayan Yadav Resident of Village- Piparpati, P.S.- Guthani, District- Siwan, At Present R/o Village- Mairwa Dham, P.S.- Mairwa, District- Siwan.
6. The Bhoodan Yogya Committee, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Respondent/s : Mr.Standing Counsel (24)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-11-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(I) To issue a Writ in the nature of "Mandamus" or any other appropriate writ / writs, order or orders, directions commanding the Respondent No. 4 (The Circle Officer, Mairwa, Siwan) to ensure the protection of title and possession of the petitioner over the ancestral / Raiyati Khatiyani piece of land, which is being disturbed by showing fake document of Bhoodan Yagya Committee (Respondent No. 6), which has been illegally procured by the Private Respondent No. 5.



- (II) To direct the Circle Officer and District Magistrate, Siwan to examine the matter legally and restrain the Private Respondents from disturbing the petitioner.
- (III) To hold and declare that an attempt to snatch the right of property is an act of violation of law emanating from Article 21 and Article 300-A of the Constitution of India.
- (IV) To direct the Respondent to fully protect the petitioner in terms of law emanating from Article 21 of the Constitution of India.
- (V) To hold and declare that grievance of the petitioner is justified and genuine and fit to be redressed.”

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 civil suit before the learned Civil Court having competent jurisdiction, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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