

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17459 of 2024

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Bhikhari Singh Son of Laxmi Singh R/o- Ward No.- 07, Gram Chhoti Auraiya, Adapur, P.O. and P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
4. The District Collector, East Champaran.
5. The District Land Acquisition Officer, East Champaran.
6. The Deputy Collector Land Reforms, East Champaran.
7. The Sub Divisional Officer, East Champaran.
8. The Circle Officer, Adapur, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Alok Ranjan, Adv.
For the State	:	Mr.Kumar Manish, Standing Counsel (5)
		Mr. Prashant Kumar, AC to SC-5

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 19-11-2024

Heard the parties.

2. In the instant petition, petitioner has prayed for
the following relief(s):-

(1) For directing the respondents to rectify the revenue records of the government, as due to wrong entries made in the revenue records by the circle officer the land of the petitioner appertaining to Khata no. 163, Khesra no. 1971, area 1 katha 18 Dhur situated in Choti Ouraiya Mauja, P.S- Aadapur, Circle- Aadapur, District- East Champaran has been mentioned as government land in place of land of the petitioner



and his ancestors and due to illegal act of the authorities the encroachment over the land of the petitioner has been made and the petitioner is compelled to approach this Hon'ble court by way of filing instant writ application Or,

(II) For directing the respondents to pay adequate compensation to the petitioner and a Government job to the spouse of the petitioner if the land has been acquired, though no any notice of acquisition has ever been issued, served to the petitioner, if not acquired then for directing and commanding the respondent authorities to vacate the land of the petitioner and to pass appropriate orders and directions for removal of illegal encroachment from the land of the petitioner appertaining to Khata no. 163, Khesra no. 1971, area 1 katha 18 Dhur situated in Choti Ouraiya Mauja, P.S- Aadapur, Circle- Aadapur, District- East Champaran, as the land of the petitioner has now become commercial land, which is one of the source of livelihood for the petitioner now since he has retired from BSF, land of the petitioner has been illegally encroached by the respondents, by making entry in revenue records as government land.

(III) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.

3. Learned counsel for the petitioner submits that land in question is ancestral land (khatiyani land) of the petitioner and he was in peaceful possession of the said land. He further submits that in order to serve the country petitioner joined Border Security Force and after retirement when



petitioner came to his native place, he came to know that land in question has illegally been encroached by the respondent no. 8/Circle Officer, Adapur, East Champaran mentioning that said land is government land. He further submits that petitioner made representation for removal of encroachment in respect of land in question before the Circle Officer, Adapur (Annexure-P/2). Petitioner also made representation for the said purpose before the District Magistrate, Motihari, East Champaran and Additional Chief Secretary, Land Reforms Department, Government of Bihar (Annexure-P/3 series).

4. Learned counsel for the State has submitted that land in question is government land and representation of the petitioner does not bear official receipt.

5. Learned counsel for the petitioner has submitted that he has sent the representation through Registered post.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the present writ petition stands disposed of with liberty to petitioner to file fresh representation before the respondent no. 3/ Additional Chief Secretary, Revenue and Land Reforms, Government of Bihar, Patna within a period of four weeks from



the date of receipt of this order. If petitioner raises his grievance before the concerned authority by filing representation within stipulated period, the concerned authority shall pass appropriate order on the representation of the petitioner in accordance with law after hearing the parties concerned within a reasonable time.

(Alok Kumar Pandey, J)

shahzad/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.11.2024.
Transmission Date	N.A.

