

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16822 of 2024

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Gyaneshwar Kumar Son of Late Kamaldev Prasad Resident of Village-
Kuawa, P.S.- Chakia, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Dept. Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Superintendent of Police, East Champaran, Motihari.
5. The Sub Divisional Officer, Chakia, District- East Champaran, Motihari.
6. The Anchaladhikari, Chakia, District- East Champaran, Motihari.
7. The Officer-In-Charge, Chakia, District- East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Respondent/s : Government Advocate 09

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-11-2024 The present writ petition has been filed
seeking the following reliefs:-

"1. (i) For issuance of a writ in the nature of Certiorari for quashing the letter dated 14.09.2024, by which direction has been given to the Officer-In-Charge, Chakia to lock the shop situated at the southern side of the Godown, located at Ambedkar Nagar, Chakia-Keshariya Road and keep the key, till final decision is arrived at in-between the brothers. The Respondent



S.D.O. has, without instituting any case, passed the order dated 14.09.2024, which is without jurisdiction.

ii) For further quashing the order contained in Memo No.882, dated 18.09.2024, by which direction has been given to the Anchaladhikari, Chakia and Officer-In-Charge, Chakia to submit report after due enquiry.

iii) For further quashing the report dated 21.09.2024, submitted under the joint signature of the Police Inspector-cum-Officer In Charge, Chakia and the Anchaladhikari, Chakia, without due enquiry and in favour of the brother of the petitioner namely Ghanshyam Kumar, who had left Motihari more than 5 years back and is doing business at Delhi and residing there with all his family members.

iv) For further issuance of direction to the Respondents to hand over the key of the godown situated at the southern side of Ambedkar Nagar at Chakia -Keshariya Road, which has been taken from the petitioner, as per the order of the S.D.O., Chakia on the ground that no partition has been made amongst the three sons of late Kamaldev Prasad.



v) For further directing the Respondent S.D.O., Chakia to consider the application dated 23.09.2024 and hand over the key of the lock of the disputed godown which has been taken by the order of the S.D.O., Chakia as per the order of the S.D.O.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, East Champaran at Motihari, 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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