

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.353 of 2024

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Ram Nagina Singh S/o Late Dashai Singh @ Dashai Mahto @ Dasai Bhagat,
R/o- Village Arna Bazar, P.S.- Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Sub Divisional Officer, Hathua, Gopalganj.
5. The Circle Officer, Uchakagaon, Gopalganj.
6. The Block Development Officer, Uchakagaon, Gopalganj.
7. The Officer in Charge, Uchakagaon, Police Station, District Gopalganj.
8. The Mukhiya, Panchayat Raj Arna, P.S.- Uchakagaon, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate
For the Respondent/s : Mr. Sudama Kumar, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-01-2024 Learned counsel for the petitioner is directed to

remove the defect(s), if any.

2. The petitioner has prayed for the following reliefs:

“1. For issuance of writ in the nature of mandamus or any other appropriate writ/writs, order/orders, direction/directions restraining the respondent no. 1 to 7 to make any construction over the part of Khatiyani land of the petitioner pertaining to Khata No. 2, Khesra No. 1773, Tauzi No. 3296 area about 2 Katha situated at Mauza-Arna, Police Station Uchakagaon, District-Gopalganj, by which respondent nos. 1 to 7 are making pucca construction for T.O.P (Town Out Police Post) and encroaching the front face of the petitioner’s residential plot and for granting compensation for demolishing cattle Shed of the



petitioner without any right and title over the land in question.”

3. Learned counsel for the petitioner submits that his cattle-shed is being demolished by the authorities without initiating any proceeding and without any notice.

4. Considered the submission of the petitioner.

5. Learned counsel for the State submits that no demolition can take place without following the due procedure of law. He further submits that the State will not take any action against the structure of the petitioner without initiating any proceeding or without issuing notice to the petitioner.

6. This application is disposed of with a direction upon the State that they cannot touch the structure of the petitioner without issuing any notice or without hearing the petitioner.

7. Accordingly, this application stands disposed of.

8. Let a copy of this order be communicated to the District Magistrate, Gopalganj for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

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