

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.826 of 2020

1. Dilip Sharma Son of late Lakkhi Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
2. Rajendra Sharma, Son of late Muni Lal Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
3. Sharwan Sharma, Son of late Gudo Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
4. Kishori Sharma, Son of Dasharath Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
5. Shrilal Sharma, Son of late Dhodhai Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
6. Prabhash Sharma, Son of late Gobind Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
7. Nakul Sharma, Son of Sri Shrawan Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
8. Yugal Sharma, Son of late Dasharath Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
9. Shekhar Sharma, Son of Bijal Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
10. Saryug Sharma, Son of late Ram Charan Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
11. Kunti Devi, Wife of late Bhajan Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
12. Rintu Sharma, Son of Mahabir Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
13. Shankar Sharma, Son of late Ammo Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
14. Umesh Sharma, Son of late Sugdeon Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
15. Babulal Sharma, Son of late Teju Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.
16. Anandi Sharma, Son of late Gugo Sharma, Resident of Village- Naripa, P.S. Rajon, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Government of Bihar, Patna.
2. The Land Reforms Deputy Commissioner, Banka.
3. The Collector, Banka.
4. The Superintendent of Police, Banka.
5. The Circle Officer, Block- Rajon, District- Banka.
6. The Circle Inspector, Block- Rajon, District- Banka.
7. The Officer-in-Charge, Police Station Rajon, District- Banka.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate
For the Respondent/s : Mr.Md.Khurshid Alam (AAG-12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 20-11-2024 The present writ petition has been filed
seeking the following relief:-

"1. That this writ application has been filed for issuance of writ(s), order(s) and direction(s) in the nature of Mandamus for quashing the order dated 28.08.2019 (Annexure-9) and notices issued under sub-section(2) of section 6, by the Collector, Banka/the Circle Officer, Rajoun (Respondent No.5) on 02.12.2015 (Annexure-6), in Public Land Encroachment Appeal No. 116/2015-16, filed against the order dated 17.08.2015, passed by the Respondent No.5 in Land Encroachment Case No. 01/2015-16, whereby and whereunder the Appeal has been rejected and the aforesaid order dated 17.08.2015, passed by the Respondent No.5 has been affirmed, without considering the fact that the petitioners are landless and are coming in exclusive and peaceful possession of the said land since the year 1960 and have constructed their huts/houses over part of Khata No.428, Khesra No. 921, area 3.85 decimals,



after leaving 24' to 30' wide road."

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to avail such other alternative remedies as are otherwise available under the law, including that of filing civil suit before the Ld. Civil Court having competent jurisdiction, for redressal of the aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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