

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13835 of 2018

1. Rajdar Ahmad son of Late Md. Rafi, resident of Mohalla- Jangi Masjid, P.S. Bettiah Town, District- West Champaran.
2. Kailash Prasad, son of Late Ranju Prasad, resident of Mohalla- Naya Bazar, P.S.- Bettiah Town, District- West Champaran.
3. Iftekhhar Ahmad, son of Md. Washi, resident of Mohalla- Naya Bazar, P.S.- Bettiah Town, District- West Champaran.
4. Md. Karim Kuraishi, son of Late Noor Mohmad, resident of Mohalla- Khuda Baksh Chowk, P.S.- Bettiah Town, District- West Champaran.
5. Md. Harun Kuraishi, son of Late Nurol Hoda Kuraishi, resident of Mohalla- Khuda Baksh Chowk, P.S.- Bettiah Town, District- West Champaran.
6. Md. Nasir Ahmad, son of Late Sheikh Idrish, resident of Mohalla- Mansha Tola, P.S.- Bettiah Muffasil, District- West Champaran.
7. Juned Akhtar, son of Md. Nasim, resident of Mohalla- Hospital Road, P.S.- Bettiah Town, District- West Champaran.
8. Md. Moin Khan, son of Late Hafiz Khan, resident of Mohalla- Kali Bagh, P.S. Kali Bagh O.P., District- West Champaran.
9. Md. Khalid, son of Late Samsul Hoda, resident of Mohalla- Hospital Road, P.S.- Bettiah Town, District- West Champaran.
10. Manaur Sultana, wife of Muzaffar Hussain, resident of Mohalla- Liberty Cinema Chowk, P.S. Bettiah Town, District- West Champaran.
11. Parmanand Ram, son of Late Ram Chandra Ram, resident of Mohalla- Ganj No. 2, P.S.- Bettiah Town, District- West Champaran.
12. Shadab Jalil, son of Jalil Ahmad, resident of Mohalla- Hospital Road, P.S.- Bettiah Town, District- West Champaran.
13. Jalil Ahmad, son of Late Hamidullah, resident of Mohalla- Hospital Road, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Member Board of Revenue, Government of Bihar, Patna.
4. The Commissioner, Tirhut Division, Muzaffarpur.
5. The District Magistrate, West Champaran, Bettiah.
6. The Superintendent of Police, West Champaran, Bettiah.
7. The Manager, Bettiah Raj, under the Court of Ward Office at Bettiah, District- West Champaran.
8. The Bettiah Nagar Parishad through its Exertive Officer Bettiah, West Champaran.



9. The S.D.M. Bettiah, West Champaran.
10. The Circle Officer, Bettiah, West Champaran.
11. The Officer-In- Charge, Bettiah Town Police Station, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumnar Jha, Adv. Mr. Pranav Kumar Jha, Adv. Mr. Ashok Kumar Gupta, Adv. Mr. Chandra Mohan Jha, Adv.
For the Respondents	:	Mr. Priyadarshi Matri Sharan, Adv. Mr. Utkarsh Utpal, Adv.
For the Respondent/s	:	Mr. Md. Khurshid Alam - Aag12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 04-09-2024 The present writ petition has been filed seeking the following relief:-

“1. That this application is being filed for issuance of an appropriate writ/writs and order/orders in the nature of Mandamus for directing and commanding the Respondents not to indulge in demolition of the petitioners shops standing at Plot No.5227, since more than 70 years and the land in question belongs to the Bettiah Raj and is not a public land and for further directing the Respondents to allow the petitioners to continue over the raiyati land of the Bettiah Raj as the Bettiah Raj has never sought to evict the petitioners.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the final order,



passed by the Circle Officer, Bettiah Sadar, in connection with Encroachment Case No. 2 of 2016-17, by filing appropriate appeal under the provisions of the Bihar Public Land Encroachment Act, 1956, however, seeks some protection during the interregnum period. Liberty, so sought, is granted.

3. It is needless to state that for a period of six weeks from today, no coercive action shall be taken against the petitioners, in order to enable them to file appropriate appeal and seek interim orders.

4. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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