

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1559 of 2024

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Madhukar Panday son of Yogendra Pandey, resident of Village-Pipra Station,
P.S.-Damodarpur Pipra, District-East Champaran.

... .. Petitioner/s

Versus

1. District Board, Motihari East Champaran through its Chairman.
2. District Engineer, District Board, Motihari, District-East Champaran.
3. The D.D.C. Motihari, District-East Champaran.
4. The Anchal Adhikari, Chakia, District-East Champaran.
5. The State of Bihar through the Collector, East Champaran, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mritunjay Pd. Singh, Advocate
For the Respondent/s	:	Mr. Rakesh Prashant, AC to SC-21
For the Zila Parishad	:	Mr. Sanjay Kr., Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2024 The present writ petition has been filed
seeking the following reliefs:-

“1. (i) For issuance of writ of Certiorari for qualification the notice contained in Memo No. 505 dated 13.07.2020 issued under the signature of District Engineer, District Board, East Champaran, so far it relates to the present writ petitioner is concerned regarding the removal of alleged encroachment of the Land of District Board bearing Khata No. 221, Plot No. 339.



(ii) For issuance of writ of Mandamus commanding the respondent authority restraining him not to remove the petitioner from his part of settled land of Khata No. 221, Plot No. 339, area 1 Katha 8 dhurs (equal to 9.25 decimals) which is part area of plot no. 339 aforesaid.

(iii) For issuance of writ of Mandamus commanding the respondents authority to take proper adequate and effective measure to remove the actual encroachment from the aforesaid land of Khata No. 221, and Plot no. 239 considering the document of settlement, Exchange deed etc. which is relevant for consideration in case of present petitioner is concerned.

(iv) For issuance of writ of Mandamus commanding the respondent authority to consider the right, title, interest and legal possession of petitioner over the land in question since 1937 to till date and residing over the same with his family after constructing the house under order of authority”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of



the petitioner to approach the respondent no. 2 i.e. District Engineer, District Board, Motihari, District-East Champaran, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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