

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16906 of 2018

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Hari Sahni Son of Late Varan Sahni Resident of Village Deokuli Dharampur,
P.S. - Piprahi, District - Sheohar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Sheohar.
3. The Deputy Collector Land Reforms, Sheohar.
4. The Sub-Divisional Officer, Sheohar.
5. The Circle Officer, Piprahi, District Sheohar.
6. The Panchayat Secretary, Gram Panchayat Raj, Parsauni Baij, Circle - Piprahi, District - Sheohar.
7. The Mukhiya, Gram Panchayat Raj Parsauni Baij, Circle - Piprahi, District - Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha- SC19

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-02-2025 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed for directing the respondent authority to hold an enquiry with regard to the illegal construction of road over the part of Plot No.3085, 3089, 3090 and 3091 which is standing in the name of the petitioner and after holding enquiry, remove the said road from the raiyati land of the petitioner.

3. Counsel submits that the it is at the instance of the



Panchayat Secretary and Mukhiya concerned, this illegal action has been taken. A stand has also taken that the fraud signature of the petitioner has been made.

4. Counsel further submits that the 45 decimal land of the petitioner has been forcefully taken which is Raiyati in nature and acquired by the petitioner through registered sale deed dated 02.04.1979 and 09.04.1979. He further submits that the petitioner was coming peaceful possession of the land upto 2007 and in the said year, forceful action has been taken. He further submits that the petitioner has filed representation before the Collector, but no action has been taken then, he filed his complaint before the District Complaint Cell in which order has come in his favour. Thereafter, he filed application before the Circle Officer, but the Circle Officer sitting tight over the matter and petitioner was moving from pillar to post.

5. Counsel for the State submits that the District Complaint Cell has rejected the claim of the petitioner on the ground that he has given the consent.

6. As such, it is directed to the District Magistrate that he shall entertain the complaint of the petitioner when it has been filed afresh with the order of this Hon'ble Court and by virtue of the revenue records, the Collector shall verify that



whether this land was recorded in the cadastral survey records of right in the name of vendor of the petitioner or not? If it has been found that land of the petitioner has been taken forcefully with regard to report as well as revenue records then, the Collector shall take action in accordance with law within 3 months from the date of filing the same.

7. With the aforesaid directions, the present writ application stands disposed off.

(Dr. Anshuman, J.)

Prakashmani/-

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