

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17411 of 2016

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Mohan Hazra Son of Late Janki Hazara resident of village - Chandwari, P.S. - Chandan, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, Banka.
3. The Circle Officer, Chandan, Dist - Banka.
4. The S.H.O. of Chandan Police Station.
5. The Deputy Collector of Land Reforms Officer, Banka.
6. The Circle Inspector, Chandan.
7. Bhutak Yadav s/o late Prabhu Yadav
8. Silo Yadav
9. Mahendra Yadav
10. Rajendra Yadav
11. Vishnu Yadav Sl. No. 7 to 10 sons of late Jageshwar Yadav
12. Kameshwar Yadav
13. Bharat Yadav Boths sons of Abbu Yadav
14. Daku Yadav
15. Gujan Yadav Both sons of late Prabhu Yadav All are residents of village - Chandwari, P.S. - Chandan, District - Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate
For the Respondent/s : Mr.Subhash Chandra Yadav-GP15

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2025 Heard the parties.

2. The present petition has been preferred for the
following relief/s:

*(i) for issuance of a writ in the nature of
"certiorari" whereby and whereunder setting*



aside the order dated-24.12.2014 passed by the Respondent no.3 in case no. 114/2013-14 whereby the creation of new Zamabandi in the favour of the petitioner has been rejected with regard to the Lands falling within Mauza Chandwari, Thana no.117 appertaining to khata no.96 Khesra No.577 measuring total area of land 1.20 decimal, and further payer of the petitioner is for issuance of a writ in the nature of mandamus whereby to remove the illegal encroachment over the aforesaid land by the private respondents no. 7 to 15 who have illegally taken physical possession of the aforesaid land by use of muscle power and illegal force and further for creation of Zamabandi in the name of the petitioner as aforesaid.

3. The petitioner is aggrieved by the order passed by the Circle Officer, Chandan, Banka by which it declined to consider the case submitting that it would be appropriate for the petitioner to approach the competent Court. The order came to



be passed on 24.12.2024.

4. Aggrieved, the present petition.

5. Learned State counsel submits that instead of moving before a competent authority/Court, the petitioner has chosen the writ jurisdiction which is fit to be dismissed.

6. Learned counsel for the petitioner submits that he shall be approaching the appropriate authority/Court for the redressal of the grievance.

7. Granting said liberty with further observation that if such petition is preferred, the limitation petition be considered in the background of the fact that the writ petition was pending before this Court for nine years.

8. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

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