

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4803 of 2025

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1. Lakshuman Singh Son of Late Mukhlal Singh, Resident of Village- Bandhu Barwa, Ward No.-13, Post Office- Ramgarhwa, Police Station- Ramgarhwa, District- East Champaran.
 2. Sugandha Kumar Singh @ Sugandh Singh Son of Late Jot Narayan Singh, Resident of Village- Bandhu Barwa, Ward No.-13, Post Office- Ramgarhwa, Police Station- Ramgarhwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Government of Bihar, Secretariat, Patna.
2. The District Magistrate cum Collector, East Champaran at Motihari.
3. The Sub-Divisional Officer cum Sub-Divisional Magistrate, Raxaul, District- East Champaran.
4. The Circle Officer, Ramgarhwa, Circle Ramgarhwa, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Respondent/s : Mr. Abbas Haider, Standing Counsel (6)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-07-2025 1. Heard learned counsel for the petitioners and learned SC-6, Mr. Abbas Haider.

2. The learned counsel appearing on behalf of the State, at the outset, submits that petitioners have rushed to this Court without availing their alternative remedy of appeal against the order passed by the Circle Officer, Ramgarhwa under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred as 'the act').

3. The learned counsel appearing on behalf of the petitioners is not in a position to rebut the said submission of the



learned counsel appearing on behalf of the State, but then submits that requisition was filed, but the final order under Section 6(1) of the Act passed by the Circle Officer, Ramgarhwa was not supplied to the petitioners, on which the learned counsel appearing on behalf of the State submits that though at Para-12 of the writ application, a pleading has been made that requisition (*chirkut*) was filed for obtaining the certified copy of the order passed by the Circle Officer, Ramgarhwa under Section 6(1) of the Act, but then no date of filing of the requisition (*chirkut*) has been pleaded.

4. Be that as it may, since petitioners have remedy of appeal against the order impugned in the instant writ application, as such, the Court is not inclined to entertain the writ application, accordingly, **the writ application is dismissed**, however, the same would not preclude the petitioners from availing their remedy of appeal against the order passed by the Circle Officer, Ramgarhwa under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

(Satyavrat Verma, J)

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