

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12928 of 2021

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Sadhu Sharan Das @ Shadhu Sharan Mandal Son of Late Chatrri Mandal
Resident of Village- Bangali Tola, Ward No. 9, P.S.- Bariyarpur, District-
Munger.

... .. Petitioner

Versus

1. The State of Bihar Through District Magistrate, Munger.
2. The Superintendent of Police Munger.
3. The Circle Officer Bariyarpur, District- Munger.
4. The Block Development Officer Bariyarpur, District- Munger.
5. The Station House Officer P.S.- Bariyarpur, District- Munger.
6. Hardeo Mandal Son of Late Chatrri Mandal Resident of Village- Bangali
Tola, Ward No. 9, P.O.- Kalyanpur, P.S.- Bariyarpur, District- Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Narsingh Tanti
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 02-05-2025

Heard the parties.

2. In the instant writ petition, petitioner has prayed for
the following reliefs:-

*(i) For issuance of a writ/ writs, order
or orders or directions to the respondents authorities to
demolish the house of respondent no.6 which was illegally
constructed on plot no.1665 and 1669, Khata No. 671 and
566 under Jamabandi No.2991, Mauza Karhariya, Total
area 2(two) Katha, while the said plot, constructed the
house belongs to the petitioner.*

*(ii) For issuance of an appropriate
writ/writs or directions to respondent nos. 2 and 5 to lodge
F.I.R. and prosecute the respondent no.6 as he has taken
the government money over plot no.1666, Khata No.956,*



Jamabandi No.2366 area 2 katha 3 dhur Mauza Karhariya, but constructed the house over plot no.1665 and 1669, Khata No.671 and 566, Jamabandi No.2991, Total area 2 katha, which does not belongs to him.

(iii) For grant of any other appropriate relief or reliefs for which the petitioner may be deemed entitled.

3. Learned counsel for the petitioner submits that petitioner has filed an application on 28.08.2018 before the respondent no. 3/ Circle Officer, Bariyarpur, District-Munger regarding illegal construction of house under Pradhan Mantri Awas Yojna over Jamabandi No. 2991, Plot No. 1665 and 1669, Khata No. 671 and 566, which belongs to the petitioner, stating therein that construction should be made on Jamabandi No. 2366 which belongs to respondent no. 6. It has been submitted that respondent no. 6 is illegally collecting the raw materials over Jamabandi No. 2991 and illegally constructing the house. He further submits that petitioner has represented his grievance before the Circle Officer, Bariyarpur, Block Development Officer, Bariyarpur and the District Magistrate, Munger but no action has been taken as yet.

4. Learned counsel for the State has submitted that it is a matter of record. However, if petitioner files fresh application before the competent authority, the competent authority shall look into the matter.



5. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the present writ petition stands disposed of with liberty to petitioner to file fresh representation, raising all the grievances as has been raised in the present writ petition, before the competent authority within a period of four weeks from the date of receipt of this order. If petitioner raises his grievance before the competent authority by filing fresh representation within the stipulated period, the competent authority shall pass appropriate order on the representation of the petitioner in accordance with law after giving due opportunity of hearing to the parties concerned within two months from the date of filing of representation.

(Alok Kumar Pandey, J)

shahzad/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	03.05.2025
Transmission Date	N.A.

