

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16502 of 2015

-
1. Tufani Yadav S/o late Sama Yadav
 2. Balwant Kushwaha S/o Ramjash Kushwaha Both are Residence of Village-Hathuahwa Barhi Tola, P.S.- Thakraha Bhitaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The S.D.O. Bagaha District- West Champaran.
3. The Circle Officer Anchal Adhikari Block Bhitaha, P.S. Thakraha, District- West Champaran.
4. The Bihar State Food Corporation Distt- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhitabh Kumar, Advocate
For the Respondent/s	:	Mr. Vinay Kumar Mishra, Advocate
For the BSFC	:	Mr. Shailendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 14-07-2025 Heard learned counsel for the petitioners, Mr. Abhitabh Kumar, the State as also Mr. Shailendra Kumar representing the Bihar State Food Corporation.

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

“i. issuance of writ in the nature for of Mandamus or other writ/writs directing the concerned respondent authority to stop the work of Govt. Godown which he was constructing on land of the petitioners without taking steps of acquisition the land and without paying the



compensation amount of the petitioners. The said land is only way of petitioner livelihood. The said land is situated at Mauza-Khaira Tola Khata No. 871, Kheshra No.-5649, Jamabandi No. 286, Area 2 Bigha 5 Katha in Vitaha Anchal, Bagaha, District- West Champaran., The said Jamabandi running in the name of Bitandi Yadva who is the grandfather of the petitioner no. 1 and khata no. 871, Kehsra no.-5649, Jamabandi No.-41 Area 13 Katha 4 Dhur situated at Vitaha Anchal Bagaha District-West Champaran. The said Jamabandi running in the name of Laldhar Mahto who is the grandfather petitioner no.-2. That the petitioners regularly pay the rent of said land and the said land in the possession of petitioners for last about 53 years. During the construction the said Godown damage the agriculture field trees and crops in way of illegal construction without the consent of the petitioners and for other necessary relief/reliefs for which the petitioner are in title in the facts and circumstances of the case.”

3. A counter-affidavit of respondent nos. 1 to 3 shows



that the respondent took note of the fact that it is a Gairmazarua Malik Parti Kadim and as such, they have initiated Jamabandi cancellation case no. 01 of 2018-19 in which notices have been issued to the petitioners/family members.

4. The prayer of the petitioners is/was not to construct the godown on their land whereas the reply shows that a Jamabandi Cancellation Case No. 01 of 2018-19 is pending against them.

5. In that background, it would be appropriate that they shall present themselves before the concerned respondents alongwith all the relevant documents, if still not have done so. It is natural that the outcome of the said case will decide the prayer of the petitioners.

6. The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

Adnan/-

U			
---	--	--	--

