

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12939 of 2016

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Udho Mehta Son of - Late Basudeo Mehta, Resident of Village- Ganeshpur,
P.S.- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Madhepura.
3. The Sub-Divisional Officer, Udakishunganj, District- Madhepura.
4. The Circle Officer, Purani Anchal, District- Madhepura.
5. The S.H.O. Purani Police Station, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv
For the Respondent/s : Mr. Sajid Salim Khan-SC-25

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

6 07-08-2025 Heard learned counsel for the petitioner and learned
counsel for the respondent-State.

2. In the present writ application, the petitioner has
prayed for the grant of following reliefs:

(i) For issuance of an appropriate writ directing/commanding the respondents to measure the land of petitioner bearing Khata No. 309, Khesra No. 1818, 1819, 1820, 1821 and 1822, total Area 15 decimals of Mauza- Laxmipur, Thana No. 142, P.S.- Purani, District-Madhepura which is being encroached for constructing a village road on Khata No. 309, Khesra No. 1827.



(ii) For issuance of an appropriate writ directing/commanding the respondents to make free from the encroachment of the petitioner's land of Khata no. 309, Khesra No. 1818, 1819, 1820, 1821 and 1822 of Thana No. 142, situated at Mauza-Laxmipur, P.S. Puraini, District-Madhepura which is his raiyati land.

(iii) Any other relief or reliefs for which the petitioner is entitled under law as well as on fact.

3. Learned counsel for the petitioner as well as learned counsel for the respondent-State jointly submit that a fresh measurement of the land in question may be directed to be carried out by the Circle Officer, Puraini Anchal, District-Madhepura in the presence of the petitioner in accordance with Bihar Tenancy (Amendment) Rules, 2023.

4. Considering the joint request of the parties, the present writ application is disposed of directing the Circle Officer, Puraini Anchal, District- Madhepura (respondent no. 4) to carry out a fresh measurement of the land in question in the presence of the petitioner, in accordance with Bihar Tenancy (Amendment) Rules, 2023. This entire exercise must be carried out within a period of two months from the date of this order.

5. With the aforesaid observation/direction, this writ



application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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