

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10374 of 2025

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1. Jay Mangal Ojha Son of Late Ram Pratap Ojha, Resident of Village- Khabra Urf Kiratpur Gurdas, P.O.- Khabra, P.S.- Sadar, District- Muzaffarpur.
 2. Jitendra Kumar, Son of Raghunath Ray, Resident of Village- Khabra Urf Kiratpur Gurdas, P.O.- Khabra, P.S.- Sadar, District- Muzaffarpur.
 3. Mukesh Sharma, Son of Late Ram Briskha Ray (Late R.B. Ray), Resident of Village- Khabra Urf Kiratpur Gurdas, P.O.- Khabra, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Sub Divisional Officer, East, Muzaffarpur.
4. The D.C.L.R., East, Muzaffarpur.
5. The Circle Officer, Mushhari, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore
For the Respondent/s : Mr.Advocate General

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 19-09-2025 In the instant petition, petitioners have prayed the following relief(s):-

“(i) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondent no.- 2 to 5 to make proper verification of land bearing CSP no 167/2245 (old khata number), area 1 acre, situated at village Khabra, P.S. - Sadar, Revenue village no. 334, Block -Mushhari, District Muzaffarpur and gate free the said government land from encroacher, who



have forcefully encroached near about more than 12 kattha land, upon which there is Puja Astha known as Brahm Asthan from eternity time.

(ii) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondent no.- 2 to 5 get free land of Brahm Asthan from encroacher and make measurement of the same, as per CSP plot no. 167/2245 and after measurement if it is found that the same has encroached by wrong doer, then get the land free from such person as per law and there after get the land in question demarcated and also construct boundary wall over the Brahm Asthan, so that villagers could peacefully worship in that place.

(iii) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondent no.- 2 to 5 to take proper action against encroacher for illegally captured land of Brahm Astha, so that in festival time villagers could organize Mela and other ritual work as per their religious rites without any hindrance.

(iv) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondent no.- 2 & 5 to dispose of the representation filed by the villagers without further delay, so that nearby people of the village could enjoy doing worship of their deity as per their rites and also make proper arrangement for look after the land in question, so that in future the land of worship could not be usurp by wrong doer or mussel person of the society.

(v) For issuance of any other writ/writs/order/orders/direction /are directions for which the writ petitioners legally found entitled on behalf of



community and villagers, under the facts and their circumstances of the case.”

2. In support of the aforementioned reliefs, petitioners have already invoke remedy before the District Magistrate, Muzaffarpur. There is a inaction on his part in not considering and redressing the petitioners grievance.

3. Therefore, District Magistrate, Muzaffarpur is hereby directed to decide the petitioners grievance and proceed to pass a detailed speaking order within a period of three months from the date of receipt of this order.

4. With the above observations, the present CWJC No. 10374 of 2025 stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

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