

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14042 of 2025

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Ajay Kumar Sah Son of Vidyachandra Sah Resident of Village- Vidyapati Nagar, Sahit, Ward No.- 4, P.S.- Vidyapati Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Director, Directorate of Land Records and Survey, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The Collector, District- Samastipur.
5. The Deputy Collector Land Reforms, Dalsinghsarai, Samastipur.
6. The Circle Officer, Vidyapati Nagar, District- Samastipur.
7. S.H.O., Vidyapati Nagar, District- Samastipur.
8. Ratnashankar Bhardwaj, Son of Late Kapileshwar Giri Resident of Village- Vidyapati Nagar, Sahit, Ward No.- 4, P.S.- Vidyapati Nagar, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Adv. Mr. Amit Kumar, Adv.
For the Respondent/s	:	Mr. Kumar Pankaj, AC to SC 05

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-09-2025 In the instant writ petition filed under Article 226 of the Constitution of India, the petitioner has prayed for the following reliefs:-

“(A) To issue a Mandamus for direction respondents to protect life and property of the petitioners as well as forcibly being dispossessed by the Respondent No.8 over the land appertaining to Mauza-Sahit, Thana No.90, Khata no.128, Khesra No.1178 (new), Area-1.414 Decimal which



land has been comes in the share of the petitioner.

(B) To issue a Mandamus for direction to respondents to ensure the peaceful and secure demarcation and fencing of boundary wall over the land of the petitioner in presence of Police personals.

(C) For directing the respondent to protect the position of the petitioner over the aforesaid land which is being threaten by private resp. no.8 to be dispossessed forcibly acting as "might is right" instead of "Right is might".

(D) For which pass such other order/orders, direction/directions as your lordships may deem fit in the fact and circumstances of the case and according to law”.

2. Heard both the sides and perused the relevant materials.

3. The main grievance of the petitioner is his apprehension of being dispossessed by respondent No.8 over the land appertaining to Mauza-Sahit, Thana No. 90, Khata No. 128, Khesra No. 1178 (new), Area 1.414 Decimal for which he has already taken step by filing a representation dated 30.05.2025 before the D.C.L.R., Dalsinghsarai, Samastipur for removing the illegal encroachment which is still pending and the petitioner has efficacious remedy under the Bihar Land Disputes Resolution Act, 2009.



4. Accordingly, the instant writ petition stands disposed of with giving the petitioner a liberty to file a petition under section 4 of the Bihar Land Disputes Resolution Act, 2009 within three weeks from today. If the petitioner files the aforesaid petition then the D.C.L.R., Dalsingsarai, Samastipur will decide his petition according to merit and shall not dismiss the same solely on the ground of limitation, if any.

5. This writ petition stands disposed of.

(Shailendra Singh, J)

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