

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14236 of 2025

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1. Ramsundar Sharma, S/o- Baudhu Sharma
 2. Ramdeo Sharma, S/o- Late Tanu Thakur
Both Resident of Village- Sahorba (Belahi), P.O- Garha, P.S- Ladania,
District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Deputy Collector Land Reforms, Jaynagar, District- Madhubani, Bihar.
3. The Circle Officer, Ladania, District- Madhubani, Bihar.
4. Keshva Thakur, S/o- Jibach Thakur,
5. Aditya Sharma, S/o- Keshva Thakur
6. Mukhlal Sharma, S/o- Keshva Thakur
7. Brahmdeo Sharma, S/o- Keshva Thakur
8. Sanjay Sharma, S/o- Keshva Thakur
Resp. Nos. 4 to 8 are Resident of Village- Sahorba (Belahi), P.O- Garha,
P.S- Ladania, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Adv.
For the Respondent/s : Mr. Saurav Kumar (Ac to GA-5)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-09-2025 The instant writ application has been filed under

Article 226 of the Constitution of India by the petitioners

seeking the following relief(s):

*"i. For issuance of appropriate order/s,
direction/s to the respondent concern to removal
the land which belongs to petitioners bearing
Khata No- 339(old), 5449 (New), Khesra No-
733 (old) 2664 (New), Rakwa- 4 Katha 16 Dhur;
Village-Sahorba, P.S- Ladania, District-
Madhubani, where by and where under private*



respondent no-04 to 08 build house illegal way on some part of dispute land and concern Circle Officer not taken proper action against them, in term of direction passed by Deputy Collector Land Reformer Jaynagar.

ii. For issuance of appropriate order/s, direction/s to the respondent concern to the disposal of the representation which have submit by petitioners before him for considering the grievances of petitioners that respondent no 04 to 08 has illegally Encroach the some portion of land bearing Khata No 339(old), 544 (New), Khesra No-733 (old) 2664 (New), Rakwa- 4 Katha 16 Dhur, Village- Saharba, P.S- Ladania, District- Madhubani and build house illegal way and concern DCLR given direction to vacant dispute land from possession of private respondents.

iii. For issuance of appropriate order/s, direction/s that taken appropriate action against private respondents who encroach some part of dispute land and not vacant aforesaid land in term of direction passed by concern DCLR.

iv. For issuance of appropriate order/s, direction/s to taken legal action against concern respondent who not remove the dispute land till the date, whereby and where concern DCLR already given direction him to remove the land from possession of private respondents.

v. For issuance of appropriate rule/s or direction/s of this Hon'ble Court may found fit and proper to the facts and circumstances of the case as well as for which the petitioners may be found entitle thereto."



2. Heard Mr. Jitendra Kumar, learned counsel appearing for the petitioners and Mr. Saurav Kumar, learned counsel appearing for the State/respondents and also gone through the relevant annexures filed by the petitioners with this writ petition.

3. The main grievance raised by the petitioners is that the order dated 03.10.2013 passed by the Deputy Collector Land Reform (DCLR) Jaynagar, Bihar, in the Case No. 09/2013-14, pertaining to Khata No. 339 (old), 544 (New), Khesra No-733 (old) 2664 (New), Area 0-4-16 (Four katha sixteen dhoor), in which the petitioners were applicants, has not been complied with despite the lapse of more than 12 years and the said order has attained finality. The petitioners filed an application to the Circle Officer, Ladania, who is bound to implement the said order of the DCLR on 01.08.2024 and before that they also took steps to bring the DCLR's order in the knowledge of the Circle Officer for compliance, even then no action has been taken to implement the DCLR's order and recently, the DCLR, Jaynagar, issued a letter to the Circle Officer, Ladania, bearing Letter No. 1046 dated 26.10.2024, to take action as per the provisions of the rule, subsequently, the Circle Officer, Ladania, issued a notice on 04.11.2024 to the



concerned persons and thereafter, several months have elapsed but even then the order of the DCLR remains unimplemented. It is very surprising that the DCLR has not ensured compliance of his own order through his subordinate officers despite the non-compliance of his order being brought into his knowledge by the petitioners. Hence, the DCLR is directed to ensure the compliance of his own order within four weeks from the date of receipt or production of this order's copy and if Circle Officer, Ladania, does not comply with his order despite your direction then initiate a legal proceeding against him as per the provisions of law.

4. Accordingly, with the above direction the writ petition stands disposed of.

(Shailendra Singh, J)

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