

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15222 of 2025

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Singasan Sah Gond @ Sigasan Sha Son of Late Kripal Sah, Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Dy. Collector Land Reform, Hathua, District- Gopalganj.
4. The Sub-Divisional Officer, Hathua, District- Gopalganj.
5. The Circle Officer, Phulwariya, District- Gopalganj.
6. The SHO, Phulwariya, District- Gopalganj.
7. Prahalad Singh, Son of Late Lahavar Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.
8. Rakesh Singh, Son of Prahalad Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.
9. Alok Singh @ Pappu Singh, Son of Adaar Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.
10. Bhulan Singh, Son of Adaar Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.
11. Adaar Singh, Son of Late Lahavar Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.
12. Uday Singh, Son of Late Lahavar Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.
13. Lal Singh, Son of Late Lahavar Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.
14. Kranti Singh, Son of Late Lahavar Singh Resident of Village- Kuwar Bathua, Post- Bathua Bazar, P.S.- Phulwariya, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Mishra
For the Respondent/s : Mr. Manoj Kumar, AC to GP 4

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-10-2025 The instant writ petition has been filed under Article

226 of the Constitution of India by the petitioner for the



following reliefs:-

“(I) For issuance of appropriate writ/writs in the nature of mandamus commanding/directing the respondent authorities concerned to Execute the order of the DCLR, Hathua, Gopalganj vide order dated 09.05.2015 passed in Land Dispute Case No. 99/2014-15, whereby and where under direction was given to the concerned Circle officer along with The SHO, Phulwariya, District-Gopalganj to give possession to the petitioner on the Land bearing Mauza- Kuwar Bathua, Anchal-Phulwariya, Khata No-120, Khesra-494, Rakba- 16 Dhur.

(II) For further direction to the respondent authorities concerned to remove the illegal encroachment/obstruction made by the Respondent No. 7 to 14 on the land in question and give the peaceful possession to the petitioner on his own land of the petitioner bearing Mauza- Kuwar Bathua, Anchal-Phulwariya, Khata No-120, Khesra-494, Rakba-16 Dhur.

(III) For further directing the concerned respondent authority to take appropriate action against the private respondent no. 7 to 14, for encroaching the land in question of the petitioner as the respondent no. 7 to 14 are powerful/influential people and always indulge in illegal works and they have encroached the said land forcefully.

(IV) For any other relief/reliefs for which the petitioner is entitled to in the facts and circumstances of the case and also in accordance with law”.

2. Heard Mr. Nityanand Mishra, learned counsel for the petitioner and Mr. Manoj Kumar, learned AC to GP 4 for the State-respondents.

3. The main grievance of the petitioner is that by the



order dated 09.05.2015 passed in Land Dispute Case No. 99/2014-15, the Deputy Collector, Land Reforms, Hathua, Gopalganj directed the Circle Officer along with the S.H.O., Phulwariya, Gopalganj to put the petitioner in possession over the land in question bearing Mauza- Kuwar Bathua, Anchal Phulwariya, Khat no.-120, Khesra-494, Rakba-16 Dhur but the said order has not been complied with despite the same having got finality.

4. It is submitted by the petitioner's counsel that the Deputy Collector, Land Reforms, Hathua, Gopalganj after hearing both the sides (petitioner and respondents no. 7 to 14) decided the Land Dispute Case No. 99/ 2014-15 in favour of the petitioner and directed the Circle Officer along with the S.H.O., Phulwariya, Gopalganj to put the petitioner in possession over the land in question and thereafter the respondents no. 7 to 14 approached the Divisional Commissioner, Saran, Chapra by filing BLDRA Case No. 128 of 2015 against the said order of the DCLR which was dismissed on account of non appearance of respondents no. 7 to 14 and, accordingly, the said order of the DCLR has attained finality. Though, the respondent no.7 has filed a Title Suit No. 516 of 2015 before the Sub-Judge-II, Hathua, Sub-division,



Gopalganj and the same is pending but no injunction order or any order in favour of respondent no.7 has been passed till date, as per his knowledge.

5. Learned counsel appearing for the State-respondents submits that since the order dated 09.05.2015 passed in Land Dispute Case No. 99/2014-15 by the DCLR has got finality, the petitioner should approach the Deputy Collector, Land Reforms, Hathua, Gopalganj for getting the said order executed.

6. This court finds substance in the aforesaid submission of learned counsel for the State-respondents. Accordingly, this writ petition stands disposed of with giving a liberty to the petitioner to file an application before the DCLR, Hathua, Gopalganj for getting the order dated 09.05.2015 passed in Land Dispute Case No. 99/2014-15 executed, as per provisions of law and if the petitioner files an application in the next four weeks then the DCLR, Hathua, Gopalganj, respondent no.3 will pass an appropriate order, as per provisions of law.

(Shailendra Singh, J)

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