

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16166 of 2025

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1. Yogi Sharma Son of Virohi Sharma, resident of Village Dhima, P.S-Banmankhi, District-Purnia.
 2. Ramdev Kumar @ Rampu Sharma, Son of Late Bindeshwari Tatma @ Bindeshwari Sharma, resident of Dhima, Purnia, Dhima, Bihar-854202.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Land Reforms, Government of Bihar, Patna.
2. The Collector at Purnea, District-Purnea.
3. The Sub Divisional Officer at Banmankhi, District-Purnea.
4. The Superintendent of Police at Purnea, District-Purnea.
5. The Circle Officer, at Banmankhi, District-Purnea.
6. The S.H.O. Banmankhi P.S., District-Purnea.
7. Dhaleshwar Sharma, Son of Late Baudhi Sharma, resident of Village-Dhima, Nagar Parishad-Banmankhi, District-Purnea.
8. Rohit Sharma, Son of Dhaleshwar Sharma, resident of Village-Dhima, Nagar Parishad-Banmankhi, District-Purnea.
9. Leela Devi, wife of Dhilo Sharma, resident of Village-Dhima, Nagar Parishad-Banmankhi, District-Purnea.
10. Gurudev Sharma, son of Late Baudhi Sharma, resident of Village-Dhima, Nagar Parishad-Banmankhi, District-Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Adv.
For the Respondent/s : Mr.Kameshwar Kumar, GP 17

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-11-2025 This writ petition has been filed by the petitioners under Article 226 of the Constitution of India seeking the following reliefs:-

“That this is the writ petition being filed before this Hon'ble High Court on behalf of the aforesaid petitioners for issuance of a writ in the nature of "Mandamus" whereby and



whereunder commanding and directing the Collector, at Purnea, District- Purnea (state respondent no.2) to dispose off the Case no. 128/2022 pending before him with regard to the Basgit parcha issued in the name of the aforesaid petitioner no.1 and his full brother namely Late Bindeshwari Tatma who Bihar Privileged Persons Homestead and Tenancy Act with regard to the lands bearing khata no. 775, Khesra no. 2198, measuring an area of 3 decimals and Khesra no. 2199 measuring an area of 3 decimals falling within mauza Banmankhi, P.S.- Banmankhi, District Purnea and the aforesaid land has been illegally encroached by the private respondents hereinabove who have constructed permanent/temporary structure over the lands in question and moreover whenever the petitioners and his family members objected to it than they were given criminal threat at the hands of private respondents hereinabove”.

2. Mr. Jitendra Kumar Giri, learned counsel for the petitioners and Mr. Kameshwar Kumar, learned counsel for the State respondents are present and they are heard.

3, The main grievance of the petitioners in this writ petition is that the Collector, Purnea (respondent no.2) is not taking steps to dispose of the petitioners' case No. 128 of 2022 which has been filed by the private respondents against the petitioners and the petitioners have been allotted the concerned



land through Basgit Parcha issued under Bihar Privilege Persons Homestead Tenancy Act, 1947 and on account of the pendency of the case No. 128 of 2022 the petitioners are facing hardship.

4. Considering the said issue as well as having gone through the averments made in this writ petition, the respondent No. 2 is directed to dispose of the case No. 128 of 2022 in the next four months from the date of receipt of this order's copy according to merit after giving sufficient opportunity of hearing to both the parties.

5. With the aforesaid direction, this writ petition stands disposed of.

(Shailendra Singh, J)

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