

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18378 of 2024

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1. Amarnath Pandey Son of Surendranath Pandey Resident of village- Ekangar Dih, P.S.- Ekangarsarai, District- Nalanda.
 2. Ajay Kumar Gupta @ Ajay Kumar Son of Late Mishri Lal Resident of village- Ekangar Dih, P.S.- Ekangarsarai, District- Nalanda.
 3. Dev Bhushan Kumar Son of Late Nand Kishore Chaudhary Resident of village- Ekangar Dih, P.S.- Ekangarsarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
3. The District Magistrate, Nalanda.
4. The Additional Collector, Nalanda.
5. The Sub-Divisional Officer, Hilsa, Nalanda.
6. The Circle Officer, Ekangarsarai, Nalanda.
7. The Revenue Officer, Ekangarsarai, Nalanda.
8. The Station House Officer, Ekangarsarai Police Station, Nalanda.
9. Md. Nishar Uddin Son of Late Ishaq Miyan resident of village- Ekangar Dih, P.S.- Ekangarsarai, District- Nalanda.
10. Md. Siraj Mian Son of Late Halim Mian resident of village- Ekangar Dih, P.S.- Ekangarsarai, District- Nalanda.
11. Md. Shamsad Alam @ Gorakh Mian Son of Mokhtar Alam resident of village- Ekangar Dih, P.S.- Ekangarsarai, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shyam Kishore, Adv.
For the Respondent/s	:	Mr.Sita Ram Yadav, GP-16 Mr.Yatindra Narayan, AC to GP-16

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-01-2025 1. The present writ petition has been filed seeking the following relief(s):-

“1.i. To direct the respondent authorities to restrain the private respondent no.9 to 11 from



encroaching land situated at Mauza-Ekangardih, appertaining to Khata No.453, Khesra No.1019, Area-5 decimals, inasmuch as they are erecting boundary wall on the way, which is being used as rasta.

ii. To direct the respondent authorities to demolish the boundary constructed over 3 decimals land i.e. at Mauza-Ekangardih, Khata No.453 (Khata No.523), Khesra No.1019 (now Khesra No.892), since the nature of land is recorded as Gair Mazarua Sarvsadharan as per order dated 27.05.1999 (Annexure-P/3).”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Circle Officer, Ekangarsarai, District-Nalanda i.e. the respondent no.6, by filing appropriate representation, however, seeks a direction upon the respondent no.6 to decide the same within a stipulated time frame.

3. Having regard to the limited prayer made by the petitioners in the present case, I deem it fit and proper to grant liberty to the petitioners to file appropriate petition before the respondent no.6, within a period of four weeks from today and in case such a representation is filed, the respondent no.6 shall consider the same, in accordance with law and pass a reasoned and a speaking order, after hearing the affected parties, within a



period of six weeks, thereafter.

4. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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