

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1867 of 2026

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Bajo Yadav Son of Mahendra Yadav, Resident of Village Belatikur (Kamlu),
P.O.- Digghi, Police Station- Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary, Department of Land and Reforms, Bihar, at New Secretariat, Vikas Bhawan, P.S.- Shashtrinagar, District- Patna 800015.
3. The District Magistrate, Jamui, P.O. and P.S.- Jamui, District- Jamui.
4. The Superintendent of Police, Jamui, at P.O., P.S. and District- Jamui.
5. The Circle Officer, Laxmipur, P.O. and P.S.- Laxmipur, District- Jamui.
6. The Station House Officer (SHO), Laxmipur, P.O. and P.S.- Laxmipur, District- Jamui.
7. Vikash Kumar, S/O Late Ram Sundar Yadav, Resident of Village Belatikur (Kamlu), P.O.- Digghi, Police Station- Laxmipur, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
For the Respondent/s : Mr. Arif Daula Siddique, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-02-2026 Heard Mr. Rajesh Kumar Sinha, learned counsel appearing on behalf of the petitioner and Mr. Arif Daula Siddique learned AC to SC-20 for the State.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, following relief(s), which is reproduced hereinafter:-

"(i) For quashing the impugned letter no. 783 dated 22-08-2024 issued by the circle officer, Laxmipur, Jamui to the officer in-charge by which it has been directed to maintain the law and order over the land situated at Mauza Kamlu, Thana no. 203/7, Khata No. 2, Khesara No. 366, Area- 48 decimal, Jamabandi No. 194 having its boundary:

North- Harhi Sah

South- Rasta

East- Gujjar Yadav (Vikas Kumar)

West- Denma Santhal

Which is exclusive ancestral property of the



petitioner as such the impugned letter is without jurisdiction and fit to be set aside.

(ii) Further for a direction to the respondents authorities to maintain the status quo with regard to part of land measuring an area of 4 decimal part of the said land in question having its boundary:-

North- Harhi Sah

South- Rasta

East- Gujjar Yadav (Vikas Kumar)

West- Sukhdev Yadav / petitioner till final disposal of Title Suit no. 110/ 2017 on merit which has been filed for declaration of title and demarcation of land.

(iii) To grant any other relief/reliefs for which the petitioner is entitled to get in the eye of law."

3. Learned counsel appearing on behalf of the petitioner submitted that petitioner is aggrieved by the action of the Circle Officer, Laxmipur, Jamui, who, at the behest of private respondent no. 7, has taken action to dispossess the petitioner in spite of the fact that the title suit filed in respect of the land appertaining to Khata No. 2, Khesra No. 366 measuring total area 48 decimal, situated at Mauza Kamlu, which has been dismissed for non prosecution, for which restoration petition has been filed being Miscellaneous Case No. 02 of 2026. Before the Title Suit No. 110 of 2017 has been decided on merits, the respondent no. 7 has tried to dispossess the petitioner from the disputed land in connivance with the Circle Officer and S.H.O., Laxmipur. Petitioner claims that protection from the local authorities must be provided to him, who are bent upon to dispossess the petitioner from the land in question.



4. *Per contra*, learned counsel for the State submitted that the petitioner has admitted that he has already filed application for restoration of the Title Suit No. 110 of 2017 being Miscellaneous Case No. 02 of 2026 and there is every likelihood of the title suit being restored to its original file.

5. Heard the parties.

6. Considering the aforesaid submission/information, it is pre-mature for the parties, particularly, for the petitioner and the private respondent no. 7 to take any action to dispossess each other from the land in question without resorting to appropriate remedy before the concerned Civil Court having jurisdiction.

7. However, so far the claim of the petitioner that local authorities are bent upon to dispossess him from the land in question, he may file application before the District Magistrate having jurisdiction for taking necessary action, if any law and order is disturbed, which has bad impact on the society.

8. With aforesaid observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J)

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