

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10519 of 2017

Banshi Lal Singh

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Respondent/s : Mr. Birendra Prasad Singh, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-02-2026 Heard the parties.

2. The present application has been preferred for the following relief(s):

(i) To issue a writ in the nature of CERTIORARI to quash and cancel the Memo No. 2863 dated 12.09.2016 issued under the authority of Additional Collector (District Revenue Department) Siwan; whereby and whereunder he has directed the learned Circle Officer, Ziradei to carve out the 5 Katthas 16 dhurs land after making measurement land bearing Khata No. 116, Khesara No 2407, Area 6 Katthas 4 Dhurs in favour Shakil Ahmad (Private Respondent No. 9 hereof).

As also to quash the Notice date d 11.05.2017 issued by the Circle Officer, Ziradei in term of aforesaid direction of Additional Collector delivered to this



petitioner and others.

As also to quash the proceeding of Land Settlement Case No. 04 of 2004-05, Mairwa, reference of which is appearing in the said letter dated 12.09.2016, however Certified Copy of such proceeding has not been supplied to the villagers even on application seeking proceeding of such settlement of land case under R.T.I. Act as a result of which this petitioner can't bring the same on the record with this application. Accordingly the record of such proceeding may be called for through the respondents, the State Authority of the District Siwan.

(ii) To issue a writ in nature of MANDAMUS to direct the respondents to set the land reference Encroachment Free from the illegal capturing and grab of private respondent no. 9 which has been done with the connivance of Authority of State causing irréparable loss and serious in-convenience to the local residents / villagers.

(iii) To hold and declare that capturing of the said land by the private respondent no. 9 here is illegal encroachment; accordingly it is fit case for removing the encroachment.

(iv) To grant any other reliefs for which petitioner is entitled to have the reliefs in connection with the aforesaid grievance.



3. After some argument, learned counsel for the petitioner submits that he shall be approaching the Collector, Siwan for the redressal of the grievance.

4. Learned State Counsel has no objection.

5. In that background, without commenting on the merit of the case and granting liberty to the petitioner, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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