

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20025 of 2016

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Dinanath Prasad Son of Late Ramraj Prasad, resident of village and P.O. Naurangia, P.S. Nauragina, District - West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, West Champaran at Bettiah null null
3. The Additional Collector, West Champaran at Bettiah
4. The Divisional Forest officer - Cum - Deputy Director Balmiki Tiger Reserve Division - II, Bettiah,
5. The Sub Divisional officer Bagaha, West Champaran
6. The Deputy Collector, Land Reforms Bagaha, West Champaran
7. The Circle Officer, Ramnagar, West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No-1, Advocate
For the Respondent/s : Mr.Anant Pd. Singh- SC15

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 20-01-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has moved the Court for the
following reliefs:

*“That this application is being filed for
issuance of an appropriate writ/writs quashing
the office order no.38 dated 25.11.2015 passed
by the Forest Divisional Officer-Cum- Deputy
Director Balmiki Tiger Reserve Division-II,
Bettiah and communicated to this petitioner,
whereby the representation alongwith order
dated 6.8.2015 passed in C.W.J.C 25370/2013 by
this Hon'ble Court filed by the petitioner for
allowing the petitioner for cutting and carrying
the sakhua tree standing on his own raiyati land
bearing Khata No. 75 Khesra No. 635, area 7*



katha 3 dhur (equivalent to 1.32 Acres situated in Mauza Naurangia in Ram Nagar Circle of District West Champaran was rejected and accordingly respondents may be directed to allow petitioner for availing the property standing in his own land by cutting the Sakhua tree and cutting the same.”

3. In view of the above, when the land in question has been declared as protected land of the Valmikinagar Wildlife Sanctuary, the petitioner cannot be granted permission to cut the trees.

4. A counter affidavit has been filed on behalf of the respondent nos. 2,3, 5, 6 and 7 wherein in paragraph no. 11 to 13, the answering respondents have categorically stated that the land in question was protected in nature. The aforesaid paragraphs is reproduced hereinbelow:

“11. That it is also stated that the Division Forest Officer-cum-Deputy Director, West Champaran vide its Letter No. 1287 dated 02.07.2013 has requested to the learned Additional Collector, West Champaran at Bettiah to cancel the Jamabandi which has been created in favour of the writ petitioner. It is also submitted by him that 9.45 Acres of land has been declared protected land of the Valmikinagar Wildlife Sanctuary (now Valmikinagar Tiger Reserve) by Notification No. C/P/F/10184/53-344-R dated 19.01.1954 and Notification No. S.O.-679 dated 10.05.1978.

12. That it is pertinent to mention here that vide Letter No. 160 dated 28.05.2019 the Circle Officer, Ramnagar has communicated to the Additional Collector, West



Champaran at Bettiah to cancel the Jamabandi No. 143 which has been created in favour of the writ petitioner and has also communicated to him that the said land belongs to the forest department and the same has been declared as the land of Valmiki Forest Reserve.

13. That from the above referred fact it is clear that the State Government has already acquired the land above referred by publication of Notification No. C/P/F/10184/53-344-R dated 19.01.1954 and Notification No. S.O.-697 dated 10.05.1978 in the extra ordinary Gazette of Bihar.”

5. In view of the above, since the land in question is already a protected land of Valmikinagar Tiger Reserve, this application stands dismissed.

(Sandeep Kumar, J)

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