

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4957 of 2024

Kamleshwar Rai, S/O- Late Ramdeo Rai, R/o- Village- Baji Bujurg, Ward No. 13, PS- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Addl. Collector, Muzaffarpur.
5. The Sub Divisional Officer, East Muzaffarpur.
6. The Superintendent of Police, Muzaffarpur.
7. The Circle Officer, Anchal- Sakra, District- Muzaffarpur.
8. The Station House Officer, Sakra, District- Muzaffarpur.
9. Santosh Kumar S/o Late Bhagwat Prasad Yadav at present Panchayat Teacher of Middle School Ward No. 13, Baji Bujurg, Muzaffarpur. R/o Ward No. 13, Baji Bujurg, P.O.- Sundarpur, P.S.- Sakra, District- Muzaffarpur.
10. Maya Nandani Devi W/o Late Bhagwat Prasad Yadav at present Mukhiya of Ward No. 13, Baji Bujurg, Muzaffarpur. R/o Ward No. 13, Baji Bujurg, P.O.- Sundarpur, P.S.- Sakra, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Om Prakash Kumar, Advocate
For the Respondent/s	:	Mr. Jitendra Kr. Roy, SC-13
		Mr. Jai Prabhat Kishore, AC to SC-13

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

3 14-07-2026 Heard Mr. Om Prakash Kumar, learned counsel for the petitioner and Mr. Jitendra Kumar Roy, learned counsel for the State.

2. The writ petition has been filed by the petitioner for following reliefs:-

“(i). To quash the order dated 23.06.2022 vide Case No. 514118008042202198 passed by the Sub Divisional Officer, Public Grievance Redressal Forum, East



Muzaffarpur whereby and whereunder, the SDO, East, Muzaffarpur did not consider it appropriate to send a notice to private respondent no. 9 & 10, reason behind which is to wrongfully benefit the private respondents because they are political people. Further, without heard both the parties and in a mechanical manner SDO, East Muzaffarpur passed an order in favour of the private respondents which is violation of natural justice.

(ii). To quash the decision dated 25.07.2022 passed by the 1st Appellate Authority, Public Grievance Redressal Forum, Muzaffarpur in Misc. Case No. 514118008042202198/1A whereby and whereunder 1st Appeal of the petitioner has been rejected in a mechanical manner because without considered the facts of the case of the petitioner passed an order and stated that; order which has been passed by the Sub Division Officer in Public Grievance Redressal Forum, East Muzaffarpur is sufficient, which is bad in law.

(iii). To quash the decision dated 15.10.2022 passed by the Appellate Authority, Public Grievance Redressal Forum, Muzaffarpur in Misc. Case No. 514118008042202198/2A whereby and whereunder 2nd Appeal of the petitioner has been rejected without considering the facts and circumstances and directed to the petitioner that matter is related to possession and the final decision of the matter is possible only through civil court.

(iv). To issue appropriate writ(s), order(s) or direction(s) commanding the respondent especially respondent no. 3 to 8 to protect the petitioner during construction the house of the petitioner on the petitioner's land bearing Anchal-Sakra, Khata No. 393, Khesra No. 1162 because private respondent nos. 9 & 10 with collusion of S.H.O., Sakra and Circle Officer, Sakara Muzaffarpur illegally trying to grab the land of the petitioner.

(v). To issue appropriate writ(s), order(s) or direction(s) commanding the respondents to take immediate steps to protect the life and property of the petitioner because inspite of several communications to the District Magistrate, Muzaffarpur, Superintendent of Police, Muzaffarpur, C.O. Sakra, as well as SHO, Sakra, they have not taken any action for protection of life and property of the petitioner and his small family.

(vi). To award any other relief or reliefs for which the petitioners are found entitled in the facts and circumstances of the case.”



3. The counsel for the petitioner specifically submits without going into the details of the case that the Sub Divisional Officer, Public Grievance Redressal Forum, East Muzaffarpur has closed the case of the petitioner in a most cryptic manner. He further submitted that the concerned respondents were never given notice and the report of the C.O., Sakra was considered as a gospel truth.

4. On the other hand learned counsel for the State has submitted that as per the report of the C.O. Sakra, there is a dispute to the respected right and that cannot be redressed in such forum.

5. Having heard the parties and considering the issue in detail from perusal of the order of the Sub Divisional Officer, Public Grievance Redressal Forum, East Muzaffarpur, it is quite clear that the case has been closed in a most cryptic manner without going into the details of the case. It is quite strange that even the private respondents were not given notice. Perusal of the order dated 23.06.2022 indicates to the fact that last date of hearing was mentioned as 28.06.2022 but the final order was passed on 23.06.2022.

6. In view of the above, the order dated 23.06.2022 passed by Sub Divisional Officer, Public Grievance Redressal



Forum, East Muzaffarpur is quashed and the matter is remanded for a fresh reconsideration after giving proper opportunity to the parties concerned.

7. With the aforesaid observation and direction, the present writ petition is disposed of.

(Alok Kumar, J)

khushbu/-

U			
---	--	--	--

