

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10813 of 2021

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Khalilur Rahman Son of Late Safar Mahummad Resident of village- Ganjan,
P.o.- Barsoiand, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna
 2. The Home Commissioner, Government of Bihar, patna
 3. The District Magistrate, Katihar
 4. The Superintendent of Police, Katihar
 5. The Sub Divisional Officer, Barsoi, Katihar
 6. The Deputy Superintendent of Police, Barsoi, Katihar
 7. The Circle Officer, Barsoi, District- Katihar
 8. The S.H.O. Barsoi, Katihar
 9. Md. Sakur Son of Chainuddin
 10. Muhmmad Majo Son of Chainuddin
 11. Latif Son of Chainuddin
 12. Samsul Haque Son of Chainuddin
 13. Jamshed Ali Son of Jumar Ali
 14. Md. Haroon Son of Jumar Ali
 15. Jehrul Son of Jumar Ali
 16. Md. Jamiruddin Son of Namiruddin
 17. Md. Samrul Son of Namiruddin
 18. Jer Mahamad Son of Namiruddin
 19. Mohbud Son of Gayasuddin
 20. Abba Son of Gayasuddin
 21. Anwara Khatun Wife of Md. Sakur
 22. Saleka Khatun Wife of Jamshed Ali
 23. Sarbanoo Khatun Wife of Haroon
 24. Raijina Khatun Wife of Latif
 25. Saleka Khatun Wife of Muhammad Majo
 26. Muhmmad Rahim Son of Basiruddin
 27. Sukojan Wife of Md. Rahim
- Resident Nos. 9 to 27 are resident of Gondhara, P.o.- Ganjan, P.s.- Barsoi and District- Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 05-02-2026

Heard Mr. Binay Kumar, learned counsel appearing on behalf of the petitioner and Mr. Raj Kishore Roy, learned GP 18 for the State.

2.Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:- :

“(I) For issuance of an appropriate writ, order or direction commanding the respondents to provide protection to the petitioner in respect of his land mentioned in this writ petition

(ii) For issuance of an appropriate writ, order or direction restraining the respondents from interfering in the peaceful possession and occupation in respect of the land in question.

(iii) For issuance of appropriate writ, order or direction for grant of any other relief or reliefs which may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in possession of land, appertaining to Khata No.265, Khesra No.966, total area of 0.14 decimals, situated in Mauza Gondhara, District, Katihar. The aforesaid land was purchased *vide* a registered sale deed dated 09.04.1965 and the name of the petitioner has been mutated in the Anchal Sirista. Thereafter, the petitioner has been paying rent. Petitioner is aggrieved by the action of his neighbours,



who are adamant to grab the land by taking law in their own hands. Petitioner has approached several authorities, like the District Magistrate, Sub-Divisional Officer and police officials but they have not stopped the unauthorized action of the neighbours of the petitioner, who has been impleaded as respondents no.9 to 27 in the present writ petition. Petitioner has not admitted in the present writ petition that he has been dispossessed from the land in question, rather his neighbours are disturbing him from peaceful possession and are adamant to encroach the said land belonging to the petitioner.

4. In such circumstances, due process of law has to be taken into consideration by the District Magistrate-cum-Collector, Katihar and the authorities in the State of Bihar have totally failed to abide by the due process of law. The right to property as enshrined in Article 300-A of the Constitution of India mandates the State authorities to protect the rights of the petitioner, who is the lawful owner of the land, holding valid title on the basis of a registered sale deed dated 09.04.1965. The District Magistrate-cum-Collector, Katihar is directed to forthwith take action in respect of the property of the petitioner in accordance with law after communication of this order to him.



5. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.02.2026
Transmission Date	NA

