

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9897 of 2024

=====

Sima Khatoon Wife of Md. Aslam, resident of Nawab Bhadadur Road, Jaggi
Ka Chauraha, P.S.- Khajekala, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub-Divisional Magistrate, Patna City.
6. The Deputy Collector, Land Reforms, Patna City.
7. The Circle Officer, Patna Sadar, Patna.
8. The Anchal Amin, Patna Sadar, Patna.
9. The S.H.O., Khajekala Police Station, Patna City, Patna.
10. Narendra Kumar Pandey, Son of Late Abhilakha Pandey, resident of
Mohalla- Duli Ghat, Adarsh Colony, P.S.- Khajekalan, Patna City, District-
Patna-800008.
11. Bablu Singh, Son of Late Chaturbhuj Singh, resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
12. Pushpa Devi, Wife of Amar Nath Sharwma resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
13. Prahlad Das, Son of Inderdeo Paswan, resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
14. Ganuri Paswan, Son of Late Kishori Paswan, resident of Mohalla- Duli
Ghat, Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
15. Ranjan Sharma, Son of Amarnath Sharma resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
16. Jawahar Paswan, Son of Late Kali Paswan, resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
17. Sabita Devi, Wife of Jawahar Paswan resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
18. Ganga Sagar, Son of Late Nirmal Sagar, resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
19. Rohit Kumar, Son of Jawahar Paswan, resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.
20. Ragini Devi, Wife of Sri Bablu Singh resident of Mohalla- Duli Ghat,
Adarsh Colony, P.S.- Khajekalan, Patna City, District- Patna-800008.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Jai Shankar Pathak
For the Respondent/s : Mr.Standing Counsel (11)

=====



CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 11-05-2026 Heard the parties.

2 This writ petition has been filed for the following reliefs:

“(i) For issuance of an appropriate writ/writs, order/orders or direction in the nature of mandamus commanding the respondent authorities concerned to make measurement of the land bearing Sheet No 198 & 218 and khata No 21/14, Plot No 1685 measuring an area of 8 katha 3 dhurs of Mauja – Diwan Mohalla, Dullighat, Thana No 1/18, District – Patna in light of order dated 07.07.2023 passed by learned DCLR, Patna Ciy in Measurement Appeal No 16/2022-23.

(ii) For further writ/order/direction to the authorities concerned after making measurement of the land in question, if it is found in favour of the petitioner as per evidence then the land encroachment by respondents No 10 to 20 may be removed from the petitioner’s land.

*(iii) For issuance of appropriate writ/orders/direction commanding the respondents to protect the possession of the petitioner over the aforesaid land which is being threatened by private respondents No 10 to 20 to be dispossessed forcibly acting as **MIGHT IS RIGHT** instead of **RIGHT**.*

(iv) For further writ, order, direction to the concerned respondents to ensure free ingress and egress on the land in question.

(v) For further direction to the respondent authorities concerned to ensure demarcation of the land in question between the parties in consonance with the finding of the



measurement proceeding.

(vi) For any other appropriate writ/writs, order/orders and or direction/directions as may deem fit and proper in the facts and circumstances of the case.”

3 The counter affidavit has come on behalf of respondents No 3, 5, 6 and 7. Learned State Counsel submits that the counter affidavit clearly shows that the respondents have recorded in Land Dispute Case No 18 of 2022-2023 that the Title has to be decided before competent Civil Court and not by the Circle Amin.

4 This Court, in that background, when the case involves title of the land, the appropriate remedy is before the competent Civil Court.

5 So far as the protection of widow is concerned, if there is any fear of life or danger from any one much less the respondents, the petitioner has all the rights to approach the local Police Officers/Police Station who are duty bound to act in accordance with law and protect each and every citizen.

6 With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

M.E.H./-

U			
---	--	--	--

