

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11237 of 2026

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Mahendra Kumar Son of Late Haridev Singh @ Hardev Singh, Resident of Village- Ujjain Lohiyar Singaha, PO- Gaighat Bajar, P.S. Harsiddhi, District- East Champaran at Motihari (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of and Revenue Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The Sub-Divisional Magistrate, Areraj, District- East Champaran at Motihari.
4. The Circle Officer, Harsidhi Circle, District- East Champaran at Motihari.
5. The Superintendent of Police, East Champaran at Motihari.
6. The Station House Officer, Harsiddhi Police Station, District- East Champaran at Motihari.
7. Santosh Das, son of Belas Das, Resident of Village- Ujjain Lohiyar Singaha, PO- Gaighat Bajar, P.S.- Harsiddhi, District-East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Tiwari, Advocate
For the Respondent/s	:	Mrs. Kumari Anu, GP-3
		Mr. Rajesh Kumar, AC to GP-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2026 Heard the parties.

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

“i. To protect the petitioner from illegal dispossession from the land appertaining to Khata No. 455, Plot No. 922, measuring an area of 5 Decimal, situated at Mauza-Ujjain Lohiyar; Thana No. 133, P.S.- Harsiddhi, District- East



Champaran, which has been settled by the competent authority in favour of the petitioner's ancestor,

ii. To remove the illegal encroachment made by the private respondent No.-7 from the said land,

iii. To ensure restraining the private respondent No.- 7 from forcibly encroaching upon the said land and disturbing the peaceful possession of the petitioner therefrom.”

3. At the outset, learned counsel for the State submits that the litigation is with the respondent no. 7 who is a private person, and as such, the appropriate course shall be to knock the doors of the Sub-Divisional Magistrate, Areraj, East Champaran.

4. Learned counsel for the petitioner submits that already a petition has been preferred on 15.04.2026 (Annexure-P/9), but no step has been taken.

5. The aforesaid Annexure do not record any receiving of the said office.

6. In that background, the writ petition stands disposed of allowing the petitioner to file a fresh petition before



the respondent, Sub-Divisional Magistrate, Areraj, East Champaran at Motihari who shall be taking appropriate steps in accordance with law, noticing the respondent no. 7/other such person (as per the report of the Police) and see to it that the matter is taken to its logical conclusion within the time frame stipulated under the Act.

(Rajiv Roy, J)

Adnan/-

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