IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12760 of 2026

CNR No. BRHC010820712026

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1. Nagina Paswan Son of Late Ramashrya Paswan, Resident of Village Sigariyawan, P.S.- Sahajhapur, District- Patna.
2. Babu Chand Paswan, Son of Late Ramashrya Paswan, Resident of Village Sigariyawan, P.S.- Sahajhapur, District- Patna.
3. Chandradev Paswan, Son of Late Ramashrya Paswan, Resident of Village Sigariyawan, P.S.- Sahajhapur, District- Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Revenue Department, Patna, Bihar.
2. Deputy Collector, Land Reforms, Patna City, Patna.
3. Circle Officer, Daniwan.
4. Station House Officer, Sahajhapur, District Patna.
5. Nawal Paswan, S/o Late Nathun Paswan, Grand son of Late Naga Paswan, Resident of Village and P.O.- Sigariyawan, P.S.- Fatuha, and at present residing at Village- Sigariyawan, P.S.- Sahajhapur, District- Patna.
6. Mahesh Paswan, S/o Late Amrikh Paswan, Grand son of Late Naga Paswan, Resident of Village and P.O.- Sigariyawan, P.S.- Fatuha, and at present residing at Village- Sigariyawan, P.S.- Sahajhapur, District- Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Vishal Saurabh, Advocate
For the State : Mr. Sanjeev Kumar Mishra, GP-21

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 27-10-2026 Heard the parties.

2. The present petition has been preferred:

"for issuance of a writ or writs, order or orders, in the nature of mandamus, commanding/directing the official respondents,

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more particularly the respondent Nos. 3 and 4, to carry out the scientific measurement of the land of the petitioners situated in Mauza - Sigariyawan, P.S. - Fatuha, District - Patna, Thana No. 102, Tauzi No. 194, Khata No. 165, Plot No. 1855, admeasuring an area of 68 decimals, and to take appropriate action for removal of the illegal encroachment made thereon by the private respondents."

3. After some argument, learned counsel for the petitioners accept that respondent nos. 5 and 6 are disturbing their peaceful physical possession for which they have to move before the Sub-Divisional Magistrate, Patna City and/or competent court.

4. Learned State Counsel with the help of counter affidavit submit that they have also narrated the same theory that disputed questions are there.

5. Considering the submission of the parties, this Court allow the petitioners to move before the Sub-Divisional Magistrate, Patna City and/or competent court for the redressal of the grievances, if any such petition is preferred before the Sub-divisional Magistrate, Patna City, he/she is duty bound to

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take the matter to its logical conclusion after noticing/hearing all the parties.

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

(Rajiv Roy, J)

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