

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21038 of 2021

1. Shivrindan Paswan Son of Chotiya Paswan Resident of Village-Phulwariya, Anchal- Hanuman Nagar, P.S.- Hanuman Nagar, District- Darbhanga.
2. Sogarath Paswan Son of Baleshwar Paswan Resident of Village-Phulwariya, Anchal- Hanuman Nagar, P.S.- Hanuman Nagar, District- Darbhanga.
3. Bachiya Devi Wife of Kapleshwar Paswan Resident of Village- Phulwariya, Anchal- Hanuman Nagar, P.S.- Hanuman Nagar, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The District Magistrate Darbhanga.
3. The Sub Divisional Officer Sadar, Darbhanga.
4. The Deputy Commissioner Law Reforms Sadar Darbhanga.
5. The Circle Officer Hanuman Nagar, Darbhanga.
6. The Officer-In-Charge Bishanpur Police Station, Darbhanga.
7. Anaiki Rai Son of Yogi Rai Resident of Village- Uchauli, P.S.- Hayaghat, District- Darbhanga.
8. Satnam Rai Son of Mahendra Rai Resident of Village- Uchauli, P.S.- Hayaghat, District- Darbhanga.
9. Harnam Rai Son of Mahendra Rai Resident of Village- Uchauli, P.S.- Hayaghat, District- Darbhanga.
10. Satrudhan Rai Son of Sahdeo Rai Resident of Village- Uchauli, P.S.- Hayaghat, District- Darbhanga.
11. Udagar Rai Son of Pragras Rai Resident of Village- Chhatona, P.S.- Hayaghat, District- Darbhanga.
12. Kalpu Rai Son of Pragras Rai Resident of Village- Chhatona, P.S.- Hayaghat, District- Darbhanga.
13. Jawahar Rai Son of Dodhari Rai Resident of Village- Chhatona, P.S.- Hayaghat, District- Darbhanga.
14. Sukharu Rai Son of Ramphal Rai Resident of Village- Chhatona, P.S.- Hayaghat, District- Darbhanga.
15. Laxman Thakur Son of Dev Narayan Thakur Resident of Village- Rajpa, P.S.- Kalyanpur, District- Samastipur.
16. Subodh Thakur Son of Bhupnarayan Thakur Resident of Village- Rajpa, P.S.- Kalyanpur, District- Samastipur.
17. Sushil Thakur Son of Unknown Resident of Village- Rajpa, P.S.- Kalyanpur, District- Samastipur.



18. Shankar Mishra Son of Sahdev Mishra Resident of Village- Hanuman Nagar, P.S.- Bishanpur, District- Darbhanga.
19. Ram Kumar Mishra Son of Sahdev Mishra Resident of Village- Hanuman Nagar, P.S.- Bishanpur, District- Darbhanga.
20. Ramjee Mishra Son of Ameri Mishra Resident of Village- Hanuman Nagar, P.S.- Bishanpur, District- Darbhanga.
21. Bambam Mishra Son of Yogi Mishra Resident of Village- Hanuman Nagar, P.S.- Bishanpur, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
Mr. Ashish, Advocate
For the Respondent/s : Mr. Vivekanand Singh, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-03-2026 Heard the learned counsel for the parties.

2. The instant application has been filed for the following reliefs:

“For Issuance of appropriate writ or writs, direction of or directions commanding the official respondents to take necessary action against the private respondents who are almost to disturb the peaceful possession of the petitioners on their land which has been granted to their PARWANA under the Bihar Land Informs (Fixation of Celling and Acquisition of Supplier Land) Act, 1961 hereinafter referred as ‘Bihar land Celling Act and also to cover the crops which has been forcibly taken away by the private respondent and or issuance of appropriate consequential writ or writs to restrain the private respondents to interfere in the peaceful possession of the



petitioners are the said land and or issuance of any other writ or writs under the facts and circular of the case.”

3. Learned counsel for the petitioners submits that the petitioners are aggrieved by the fact that the private respondents have been disturbing their peaceful possession of the land, which has been allocated to them through PARWANA issued by the Government of Bihar under the Bihar Land Informs (Fixation of Ceiling and Acquisition of Supplier Land) Act, 1961. It has been submitted that the petitioners were landless persons and the private respondents have been interfering with their peaceful possession and the petitioners, being aggrieved by such action, have also approached the respondent authorities and have filed several representations, however, till date no action has been taken against the erring private respondents. It has next been submitted that one such application was also made to the DCLR, which has been brought on record by way of Annexure-2.

4. Learned AC to GP-18 for the State submits that though the petitioners have filed an application before DCLR, however, the remedy available to the petitioners was under Section 4 of the Bihar Land Dispute Resolution Act, 2009. It has further been submitted that the petitioners may be directed to



make an application under the aforesaid provision afresh and even the representation dated 08.04.2021 filed by the petitioner before the DCLR, be brought before the present incumbent of the Office.

5. The DCLR, Darbhanga Sadar, is directed to consider the grievances of the petitioners and after giving an opportunity of hearing to all the concerned persons, including the private respondents, pass a reasoned order within three months from the date of communication of this order.

6. The application stands disposed off with the aforesaid liberty.

(Sourendra Pandey, J)

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