

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19461 of 2019

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1. Sheo Pujan Baitha Son of Late Sheo Nandan Baitha @ Shivnan Dhobi
Resident of- Banjari Ward No. 11, P.S. and District- Gopalganj.
 2. Ram Pujan Baitha Son of Late Sheo Nandan Baitha @ Shivnan Dhobi
Resident of- Banjari Ward No. 11, P.S. and District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate-cum- Collector, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Additional District Magistrate, Gopalganj.
6. The Sub Divisional Officer, Gopalganj.
7. The Deputy Collector Land Reform, Gopalganj.
8. The Circle Officer, Gopalganj.
9. The Officer-in- Charge, Gopalganj Police Station, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 20-01-2026 Heard the parties.

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

(i) For issuance of writ/writs, order/orders or direction/directions in the nature of Certiorari for setting aside notice dated 27.08.2019 issued under the signature of Circle Officer, Gopalganj whereby and where under the petitioners have been



informed that the land of Bhoodan have become Govt. Land and the evidence produce by the petitioners are not acceptable and as such the petitioners have been directed to vacate land appertaining to Khata No. 107, Khesra No. 282, Area 34 Decimal situated in Mauza Banjari otherwise FIR will be instituted and the land will be vacated with JCB forcefully, without any proceeding or without initiating any case of encroachment and further without providing any opportunity to the petitioners to satisfy the authority. The notice issued by the Circle Officer, Gopalganj neither bears letter no. nor any case no.

(ii) For issuance of writ/writs, order/orders or direction/directions in the nature of Mandamus directing the respondent authorities particularly respondent no. 8, the Circle Officer, Gopalganj not to create any disturbance in the peaceful possession of the petitioners over land having Khata NO. 107, Khesra No. 282, Area 34 Decimal in Mauza Banjari as the land in question has been settled in the name of father of the petitioners namely Shivnan Dhobi @ Sheo Nandan Baitha by Bihar Bhoodan Yagna Committee on 08.05.1958 and thereafter lagan has been fixed and Jamabandi has been created in the



of petitioners and name the petitioners are paying rent to the Govt. regularly.

(iii) For issuance of writ/writs, order/orders or direction/ directions in the nature mandamus directing the respondent authorities not to dispossess the petitioners from the land in question having Khata NO. 107, Khesra No. 282, Area 34 Decimal in Mauza Banjari as the same land was initially belongs to Bihar Bhoodan Yagna Committee and has been settled in favour of father of the petitioners, thereafter Lagan was fixed, Jamabandi has been created and the petitioners are paying rent regularly to the Government.

(iv) For issuance of writ/writs, order/orders or direction/directions declaring that the notices issued by the Circle Officer, Gopalganj carries no meaning in the eye of law as the same has been issued without following due process of law or even without initiating any proceeding of encroachment.

(v) For any other relief/reliefs for which the petitioners may be found entitle in the eye of law and in the facts and circumstances of the case may also be granted in favour of the petitioners.

3. In the presence of learned State Counsel, Mrs.



Nutan Sahay, learned counsel for the petitioner, Mr. Rajesh Kumar prays for withdrawal of the petition.

4. Accordingly, the writ petition is dismissed as withdrawn.

(Rajiv Roy, J)

Vijay Singh/-

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