IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16199 of 2026

CNR No. BRHC011054162026

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Anant Kumar Poddar Son of Late Shri Kunj Bihari Poddar, Resident of Chhoti Ballia, Ward No. 5, P.O. and P.S.- Ballia, District - Begusarai (Bihar).

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Commissioner, Munger Division, District- Munger.
4. District Magistrate, Begusarai.
5. Sub-Divisional Officer, Ballia, District - Begusarai.
6. Circle Officer/Officer-in-Charge, Ballia, District - Begusarai.
7. Manju Devi, Wife of Nirmal Rastogi Resident of Gachhi Tola, P.O. and P.S. - Ballia, District - Begusarai.
8. Shobha Devi, Wife of Late Vimal Lal Rastogi Resident of Gachhi Tola, P.O. and P.S. - Ballia, District - Begusarai.
9. Sumit Kumar, Son of Late Vimal Lal Rastogi Resident of Gachhi Tola, P.O. and P.S. - Ballia, District - Begusarai.
10. Vishweshwar Paswan, Son of Late Dashrath Paswan Resident of Gachhi Tola, P.O. and P.S. - Ballia, District - Begusarai.
11. Bablu Paswan, Son of Ram Siyaram Paswan Resident of Gachhi Tola, P.O. and P.S. - Ballia, District - Begusarai.
12. Siyaram Paswan, Son of Late Siyaram Paswan Resident of Gachhi Tola, P.O. and P.S. - Ballia, District - Begusarai.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Ms. Abhilasha Kumari, Advocate
For the Respondent/s : Mr.Avnindra Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-10-2026 Heard Ms. Abhilasha Kumari, learned counsel for the petitioner and Mr. Avnindra Kumar Jha, learned counsel for the State.

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

(i) for issuance of an appropriate writ, order or direction, including a writ in the nature of Mandamus, commanding the Respondent authorities, particularly Respondent Nos. 4, 5 and 6, to forthwith implement and give effect to the final order dated 31.03.2012 passed by the (D.C.L.R.)-cum-competent authority, Ballia, in (B.L.D.R.) Case No. 14 of 2010 (Reshmi Devi @ Reshma Devi Vs. Siyaram Paswan), and to the direction dated 10.02.2026 of the Public grievances redressal forum, Ballia, in Complaint Case No. PG-17122025-0061968, within a time-bound period as may be fixed by this Hon'ble Court;

(ii) for a direction commanding the Respondent authorities to cause fresh demarcation/measurement of the courtyard (aangan) land of the Petitioner comprised in Khata No. 1854/258, Plot No. 1895, Thana

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No. 627, Tauzi No. 7800/8784, Mauza Ballia [as more fully described in Paragraph 4 hereof], in terms of the map/naksha demarcated by the learned Advocate Commissioner and preserved in the office record of the D.C.L.R.. and to remove the illegal encroachment of the Private Respondents therefrom;

(iii) for a direction for grant of adequate police protection to the Petitioner and the members of his family, and for restraining the Private Respondents (Respondent Nos, 7 to 12) from trespassing or raising any upon, dumping construction material over, construction upon the demarcated land of the Petitioner, and from otherwise disturbing his settled and peaceful possession;

(iv) for a direction commanding the Respondent authorities to decide and dispose of the Petitioner's representations dated 25.09.2025, 17.11.2025 and 05.09.2026 in a accordance with law; time-

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bound manner, in accordance with law;

(v) for any other relief or reliefs to which the Petitioner is found entitled in the facts and circumstances of the case.

3. The matter relates to a piece of land, the details of which stands incorporated in para-04 as under:

(i) Khata No. 1834, 258;

(ii) Kheara No. 1803;

(iii) Mauza Ballia, Lakhmania;

(iv) Area (2 decimal);

(v) Boundary of the land North Reshma Devi, South Siya Ram Paswan, East, Road, West Reshma Devi;

(vi) Thana No. 627;

(vii) Circle-Balia;

(viii) District-Begusaral.

4. Learned counsel for the petitioner submits that of-late the respondent nos. 07 to 12 have chosen to disturb their peaceful physical possession for which the petitioner moved from pillar to post but without any success.

5. Learned State counsel submits that the last Annexure addressed to the Collector, Begusarai shows that the Sub-Divisional Magistrate, Ballia earlier took cognizance of the

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matter vide case no. 78M/2026.

6. Having heard the parties, this Court is of the opinion that the Sub-Divisional Magistrate, Ballia should look into the matter and if the earlier proceeding no. 78M/2026 stands lapsed, to initiate a fresh proceeding, issue notices to the parties and it is expected that the matter will be taken to its logical conclusion in accordance with law.

7. Learned counsel for the petitioner submits that an appropriate petition shall be filed in next four weeks before the Sub-Divisional Magistrate, Ballia, Begusarai. The submission is that he is 78 years old and thus a time frame be recorded.

8. Learned State counsel submits that the time frame is already in the act and he/she has to function within the said law and not otherwise.

9. This Court is of the opinion that the time has come for the Sub-Divisional Magistrate, Ballia to take cognizance of the matter and decide the same in accordance with law.

10. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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