

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18312 of 2023

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Mohan Prasad Sah @ Mohan Prasad Son of Dugur Prasad, Resident of Village- Bishunpurwa, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Govt. of Bihar.
2. The Collector, Bettiah, West Champaran.
3. The Land Reforms Deputy Collector, Bettiah, West Champaran.
4. The Circle Officer of Bagaha-II, West Champaran.
5. The Superintendent of Police, Bagaha, West Champaran.
6. The SHO P.S.- Bagaha, West Champaran.
7. Madan Moahan Bodh, S/o Khetaw Ram, Resident of Village- Bishunpurwa, P.S- Bagaha, District- West Champaran.
8. Sharma Thakur, S/o Late Darshan Thakur Resident of Village- Bishunpurwa, P.S- Bagaha, District- West Champaran.
9. Nandlal Ram, S/o Late Ram Chandra Ram Resident of Village- Bishunpurwa, P.S- Bagaha, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Adv.
For the Respondent/s : Mr. Birendra Prasad Singh, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-06-2026 Heard the parties.

2. The present application has been preferred:

for issuance of an appropriate writ/writs direction/directions directing the Respondents Authority to remove the encroachment done by they several persons upon the land which is the land of Mohan Prasad Sah which is Khatiyani land.

3. A counter affidavit has come on behalf of the respondents duly signed by the Circle Officer, Bagaha-II, West Champaran according to which, while issuing notice to the respondents for removal of encroachment and which according to the



affidavit, they gave undertaking that it shall be removed, simultaneously, a Settlement Cancellation Case No. 117 of 2023-24 has also been initiated in the Court of learned ADM, Bettiah for cancellation of Settlement of Samarati Devi (mother of the petitioner) in which notices have been issued to the opposite parties.

4. Learned counsel for the petitioner submits that lots of water has flown down the ganges and he shall be taking steps to contest the cases pending before appropriate authority.

5. Learned State Counsel submits that if the petitioner co-operates, the cases shall be taken to its logical conclusion at an earliest.

6. Considering the aforesaid submissions of the parties, the writ petition is disposed of allowing the petitioner to agitate the matter before appropriate authority for the redressal of the grievance in view of the facts/ averments/ statements that finds incorporated both in the writ petition and the counter affidavit filed on behalf of the respondents.

7. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Vijay
Singh/Munindra
Kumar Sahu

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