

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17386 of 2018

Najim Khan S/o-Shri Ziyaul Haque, Resident of Ward No.-8, Narainapur,
P.O.P.S.-Ram Nagar, District-West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Sub-Divisional Public Grievance Redressal Officer, Bagha, West Champaran.
3. Mr. Uday Shankar Mishra S/o not Known to the Petitioner Circle officer, Block-Ram Nagar, District-West Champaran.
4. Mr. Rajeev Kumar Yadav S/o Not Known to the Petitioner S.H.O. Nagar Police Station, District-West Champaran.
5. Mr. Raj Kishore Singh S/o NOt Known to the Petitioner S.I. of Police, Ram Nagar Police Station, District-West Champaran.
6. Mr. Narendra Prasad Sahi, S/o Not Known to the Petitioner Bench Clerk Peskar of the Court of Learned S.D.J.M., Bagha, District-West Champaran.
7. Smt. Jainul Khatoon, W/o-Late Serajul Khan, Resident of Ward no.-9, Narainapur, P.O.P.S.-Ram Nagar, District-West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Advocate
For the State : Mr. Md. Ndeem Seraj, GP-5

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 02-02-2026 Heard the parties.

2. The present petition has been preferred for the
grant of following relief(s):

*“(i) to issue a writ in the nature of certiorari
for quashing of the order dated 24.07.2018
(Annexure P/2) passed in Complaint Case No.
501210105051801511 dated 05.05.2018 passed
by the Respondent No. 2 in complete departure
to the provisions mandate under Section 2 (a) of
the Bihar Right to Public Grievance Redressal
Act, 2015 and most surprisingly though the*



order was in complete departure to the mandate of Section 2 (a) of the Bihar Right to Public Grievance Redressal Act, 2015, but even then with the aid and help of the Respondents No. 3 to 6 by using the force, handed over the possession of the disputed land in favour of the Respondent No. 7.

(ii) to issue a writ in the nature of certiorari for quashing of the order dated 24.07.2018 (Annexure P/2) passed in Complaint Case No. 501210105051801511 dated 05.05.2018 passed by the Respondent No. 2 in complete departure to the provisions mandate under Section 2 (a) of the Bihar Right to Public Grievance Redressal Act, 2015, because the Respondent No. 2 failed to appreciate that for the same property a title suit bearing Title Suit No. 25 of 2015 was filed by Aurangjeb Khan & Others in the court of learned Munsif, Bagha, West Champaran, which was dismissed by the learned Munsif, Bagha, West Champaran on 02.11.2017, but even then, despite of disclosure



of the dismissal of Title Suit No. 25 of 2015, the Respondent No. 2 entertained the petition filed by the Respondent No. 7 (though the Respondent No. 7 was added as Plaintiff No. 4 in Title Suit No. 25 of 2015) and passed the final order on 24.07.2018 and the same was executed by using force by the Respondents No. 3 to 6.

(iii) to issue a writ in the nature of mandamus commanding the Respondents No. 2 to 6 to restore the possession of the lands of the petitioner, forthwith.

(iv) any other relief or reliefs in view of the fact that;

(a) for the property which was subject matter of Complaint Case No. 501210105051801511 dated 05.05.2018 was already been adjudicated by the Competent Civil Court in Title Suit No. 25 of 2015 vide order dated 02.11.2017 (Annexure-P/1).

(b) the Respondent No. 2, in complete departure to the mandate of Section 2 (a) of the Bihar Right to Public Grievance Redressal Act,



2015, adjudicated the dispute and compelled the Respondents No. 3 to 6 to handover the possession to the Respondent No. 7, which was duly effected on 11.08.2018.”

3. Pursuant to the last order dated 05.01.2026, Mr. Ved Prakash, the Circle Officer, Ramnagar, West Champaran, Bettiah is present in the Court and affidavit has been filed. He has conducted an enquiry and has submitted that the land in question is recorded as ‘Gair Majarua Malik’, 6 dhurs of land is recorded in the name of Tabarakh Khan which now stands sold to Sabnam Khatoon who has constructed two storied building.

4. The Revenue Authorities demanded document from Sabnam Khatoon but she failed to produce it. It has been further recorded that father of the petitioner, Ziyaul Haque executed 3 dhurs of land land in favour of Gayatri Devi who has also constructed two storied building on the land where she is residing.

5. In paragraph no.8, it has been recorded that respondent no.7 is not in possession of the land in question and she has made a false statement in the counter affidavit.

6. This Court refrains from taking appropriate legal action against the respondent no.7 who has made false affidavit



in the Court and warns her to remain cautious in future and in case, any false affidavit is filed by her in future, the authorities must take immediate penal action against her.

7. This Court is further of the view that in the such complex situation, no further step is to be required so far as this Court is concerned. However, so far as the order passed by the Sub-Divisional Public Grievance Redressal Officer dated 24.07.2018 is concerned, in view of the aforesaid developments, the same has to go.

8. Accordingly, the order dated 24.07.2018 passed by the respondent no.2, the Sub-Divisional Public Grievance Redressal Officer, Bagha, West Champaran stands quashed.

9. The parties are free to approach the competent court for the redressal of the grievance.

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

11. The personal appearance of the Circle Officer, Ramnagar, West Champaran, Bettiah is dispensed with.

(Rajiv Roy, J)

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