

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.477 of 2025

Vinod Ojha Son of Late Ramnaresh Ojha Resident of Village - Fatamachak, P. S. and Anchal-Sheohar, District - Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Sheohar,
2. The District Magistrate, Sheohar.
3. The Additional Collector, Sheohar.
4. The Sub-Divisional Magistrate, Sheohar.
5. The Deputy Collector Land Reforms, Sheohar.
6. The Circle Officer, Sheohar, Circle-Sheohar, District-Sheohar.
7. Ram Nihora Brahamchari Son of Late Chikru Sahni Resident of Village-Fatamachak, P.S. and Anchal-Sheohar, District-Sheohar.
8. Ram Padarath Sahni Son of Late Chikru Sahni Resident of Village-Fatamachak, P.S. and Anchal-Sheohar, District-Sheohar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Advocate
For the Respondent/s	:	Mr. Standing Counsel (12)
		Mr. Sudama Kumar, AC to SC-12

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 16-06-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

“For issuance of writ in the nature of certiorari for quashing of the order dated 22/11/2024 (Annexure-P/5) passed in Land Encroachment Appeal No. 15/2024 by the learned District Magistrate, Sheohar, whereby and where under the Encroachment Appeal filed by Petitioner has been rejected without considering that a Title



Suit No.20 of 2024 is going on between the Petitioner and private Respondents for the same disputed plot, whereas private Respondent Nos. 7 and 8 has appeared and filed their written statement and for any other relief reliefs for which your Lordships may deem fit and proper.”

3. Learned counsel for the petitioner submits that notice was originally issued for Khesra No.1083 but when the encroachment proceeding being Encroachment Case No.03 of 2019 was initiated, the authorities, on the basis of false measurement, have incorporated the said land being Khesra No.1074 and 1076, which was originally not forming part of the encroachment proceeding and factually, there is no such encroachment on the said land in question for which the Baskit Parcha is said to have been issued by the respondent-State.

4. On the other hand, learned counsel for the private respondent Nos.7 and 8 have appeared through notice issued by this Court, who does not controvert the submissions made by the learned counsel for the petitioner.

5. At this stage, learned counsel for the State, submits that looking to the nature of dispute and apparently the impugned orders which is under challenge, does not indicate such consideration, the petitioner may be directed to avail the statutory review before the Collector, Sheohar, so that the issues



can be put at rest by passing appropriate orders in reference to the records available in the District.

6. Considering the aforesaid, this Court directs the petitioner to file a review application before the Collector, Sheohar, with all supportive materials and documents, which would be relevant for adjudication of his grievances and in case, review petition is filed within a period of three weeks, status quo shall be maintained till final orders are passed in the said review application and thereafter, the nature of order passed in the review application shall govern the field.

7. Accordingly, the writ petition stands disposed of.

8. Pending interlocutory application(s), if any, shall also stand disposed of.

(Ajit Kumar, J)

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