

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1735 of 2026

Kolai Chaudhary @ Kolai Mallah Son of Late Bailister Mallah@ Balister Chaudhary resident of Village- Khaira Tola, Madhubani, P.S.- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, West Champaran at Bettiah.
2. The Sub-Divisional Officer, Bagaha, West Champaran at Bettiah.
3. The Land Reforms, Deputy Collector, Bagaha, West Champaran.
4. The Anchal Adhikari, Madhubani, District- West Champaran.
5. The Circle Inspector, Anchal- Madhubani, District- West Champaran.
6. The Halka Karamchari, Halk No.06 Anchal- Madhubani, District- West Champaran.
7. The Anchal Amin, Anchal Madhubani, District- West Champaran.
8. Virendra Yadav, Son of Sukhdeomuni Yadav, resident of Village- Piparpati, P.S.- Dhanaha, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Adv.
For the Respondent/s : Mr. Mahtab Alam, AC to SC-20

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-02-2026 Heard the parties.

2. The present application has been preferred

*for issuance of orders, direction or
directions to the commanding the
respondents authorities for the compliance
the order dated 31.05.2023 passed by the
Land Reforms Deputy Collector, Bagaha,
West Champaran passed in Land Dispute*



Resolution Case No.49 of 2021-22.

That the petitioner file the petition before the respondent No.4 on dated 10.06.2000 for measurement the following land in question :-

Mauza- Madhubani

Thana No.- 260

Khata No.- 03

Khesra No.- 3045/4, 3045/5

*Rakaba- 0.46 Dec.
0.24 Dec.*

Total= 0.70 Dec.

Thereafter the respondent No.4 start the proceeding for measurement of said land vide Case No.04 of 2020-21 and fixed the date on 17.12.2020 for measurement of the said land and thereafter the Anchal Amin measurement the land in question and submitted the report with scratch map and clear of the position of the land in question and showing the part encroachment of the land in question. But the Anchal Adhikari no any action taken against the said encroachment.

Thereafter the petitioner file the case before the respondent no.3 for removal



of the encroachment and the respondent No.3 passed the order dated 31.05.2023 bearing Land Dispute Resolution Case No.49 of 2021-22 and given the order to the respondent No.4 for removal of the encroachment from the said land.

But till today the respondent No.4 no any action taken on the order dated 31.05.2023.

In such circumstances your Lordships kindly give direction to the respondents authorities for the compliance the order dated 31.05.2023 passed by the Land Reforms Deputy Collector, Bagaha, West Champaran passed in Land Dispute Resolution Case No.49 of 2021-22.

3. The Deputy Collector Land Reforms, Bagaha, West Champaran (respondent no. 3) disposed of the Land Dispute Resolution Case No. 49 of 2021-22 (Kolai Mallah vs. Virendra Yadav & ors.) on 31.05.2023 with a direction to the Circle Officer, Madhubani (West Champaran) to take appropriate steps for the measurement of the land and needful.

4. The prayer in the writ petition is that the Circle Officer, Madhubani is not complying the said order.

5. Though learned counsel for the petitioner tried to impress upon this Court that the Circle Officer, Madhubani be



directed to take further steps in accordance with the said direction, learned State Counsel submits that there is nothing on record to show that the petitioner approached and the Circle Officer, Madhubani who failed to act.

6. In that background, this Court directs the petitioner to approach the Circle Officer, Madhubani along with the order passed in the Land Dispute Resolution Case No. 49 of 2021-22 and if such petition is preferred, the Circle Officer, Madhubani is duty-bound to issue notice and take steps in accordance with law/as per the direction of the DCLR, Bagaha, West Champaran if any further order has not come annulling the said order dated 31.05.2023.

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

(Rajiv Roy, J)

Vijay Singh/-

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