

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16840 of 2021

Dr. Amit Kumar Singh, Son of Shree Ajit Kumar Singh, Resident of Village
and P.S. - Mohiuddin Nagar, District - Samastipur (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Home,
Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Sub Divisional Officer, Patory, Samastipur.
4. The Circle Officer, Mohiuddin Nagar, District - Samastipur.
5. Ram Naresh Rai, Son of Matukdhari Rai, Resident of Village - Mogal Chak,
Police Station - Mohiuddin Nagar, District - Samastipur.
6. Ram Pravesh Rai, Son of Matukdhari Rai, Resident of Village - Mogal
Chak, Police Station - Mohiuddin Nagar, District - Samastipur.
7. Chandeshwar Rai, Son of Late Mahendra Rai, Resident of Village - Mogal
Chak, Police Station - Mohiuddin Nagar, District - Samastipur.
8. Sahdev Sah, Son of Late Ram Prasad Sah, Resident of Village - Mahmadpur,
Police Station - Mohiuddin Nagar, District - Samastipur.
9. Ram Nath Sah, Son of Late Jamun Sah, Resident of Village - Mahmadpur,
Police Station - Mohiuddin Nagar, District - Samastipur.
10. Shivjee Das, Son of Ganga Das, Resident of Village - Nandani Chak, Police
Station - Mohiuddin Nagar, District - Samastipur.
11. Ramuchit Sahani, Son of Late Tupan Sahani, Resident of Village - Mogal
Chak Manjha, Police Station - Mohiuddin Nagar, District - Samastipur.
12. Pramod Thakur, Son of Late Sonelal Thakur, Resident of Village and Police
Station - Mohiuddin Nagar, District - Samastipur.
13. Ram Niwas Singh, Son of Late Ram Ekwat Singh, Resident of Village -
Hemanpur, Police Station - Mohiuddin Nagar, District - Samastipur.
14. Rajendra Sah, Son of Late Ramjee Sah, Resident of Village and Police



- Station - Mohiuddin Nagar, District - Samastipur.
15. Ram Vriksh Sahani, Son of Jhari Sahani, Resident of Village - Mogal Chak Manjha, Police Station - Mohiuddin Nagar, District - Samastipur.
 16. Birendra Sah, Son of Late Lakhan Sah, Resident of Village - Karim Nagar, Police Station - Mohiuddin Nagar, District - Samastipur.
 17. Pappu Choudhary, Son of Late Satyanarayan Choudhary, Resident of Village and Police Station - Mohiuddin Nagar, District - Samastipur.
 18. Anil Rai, Son of Late Indradev Rai, Resident of Village - Mogal Chak, Police Station - Mohiuddin Nagar, District - Samastipur.
 19. Ashok Sah, Son of Late Ramjee Sah, Resident of Village - Karim Nagar, Police Station - Mohiuddin Nagar, District - Samastipur.
 20. Chandan Kumar, Son of Sevak Sah, Resident of Village - Karim Nagar, Police Station - Mohiuddin Nagar, District - Samastipur.
 21. Sushil Choudhary, Son of Late Bisheshwar Choudhary, Resident of Village - Mohiuddin Nagar, Police Station - Mohiuddin Nagar, District - Samastipur.
 22. Prasadi Sah, Son of Late Dukhan Sah, Resident of Village - Pirganj, Police Station - Patory, District - Samastipur.
 23. The Bihar Rajay Dharmik Nayas Parshad, Patna, Vidayapati Marg, Patna - 800001.
 24. Superintendent of Police, Samastipur.
 25. S.H.O., Mohiuddin Nagar, District - Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the State : Mr. Sanjay Kumar Ghosarvey, AAG 3

For the Respondent No.23: Mr. Ganpati Trivedi, Sr. Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-09-2021



Petitioner has prayed for the following relief(s):-

“(i) For issuance of writ/writs in the nature of mandamus commanding the Respondents to immediately released the Govt. land (HINDU Religious Trust Board), which has been illegally encroached by the Respondent No. 5 to 22.

(ii) For commanding the Respondents as to why the respondent No. 5 to 22 has encroached the public land which has been illegally possessed by themselves.

(iii) For any other writ/writs, direction/directions, order/orders, as this Hon’ble Court may deem fit and proper as the facts and circumstances of this case.”

Shri Ganpati Trivedi, learned senior counsel, who appears on behalf of Respondent No. 23, states that the respondents have already initiated action against the private respondent Nos. 5 to 22.

Shri Sanjay Kumar Ghosarvey, learned A.C. to learned AAG-3, states that the action for removal shall also be initiated, if so required in law against the said private respondents.

In any event, since the action only stands initiated, we need not keep the petition pending, save and except, direct the process be expedited and completed positively



within a period of six months from the date of production of a copy of this order.

The present petition stands disposed of.

Interlocutory application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Rajiv

AFR/NAFR	
CAV DATE	
Uploading Date	29.09.2021
Transmission Date	

