

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14193 of 2023

Kapil Muni Ray Son of Late Shiv Bachan Ray Resident of Village-Khakhra,
P.O.-Muzrarh, P.S.-Kargahar (Barachari O.P.), District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Revenue and Land Reforms Department, Govt. of Bihar.
2. The Principal Secreary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The Additional District Magistrte-Cum-District Public Grievances Redressal Officer, Rohtas at Sasaram,
5. The Sub-Divisional Officer, Sasaram, Rohtas.
6. The Sub-Divisional Public Grievances Redressal Officer, Sasaram, Rohtas.
7. The Circle Officer, Kargahar, Rohtas.
8. Kishun Sharma Son of Late Baijnath Sharma Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
9. Pappu Rai Son of Late Baijnath Rai Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
10. Awadhesh Singh Son of Late Girija Singh Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
11. Subhash Rai Son of Late Bhadar Rai Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
12. Sri Bhagwan Rai Son of Late Ram Narayan Rai Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
13. Bipin Rai Son of Late Yamina Rai Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
14. Ram Dular Rai Son of Late Vishwanath Rai Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
15. Shashi Rai Son of Late ram Nath Rai Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
16. Bahadur Ram Son of Late Subedar Ram Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
17. Prahlad Singh, Son of Nanhku Singh, Resident of Village- Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
18. Parsuram Singh, Son of Nanhku Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
19. Dhanjee Singh, Son of Nanhku Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
20. Bhanu Pratap Singh, Son of Nanhku Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)



21. Dukhit Ram, Son of Late Yaduni Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
22. Kameshwar Ram, Son of not mention, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
23. Dilip Ram, Son of not mention, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
24. Ravi Shankar Ram, Son of not mention, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
25. Gautam Ram, Son of not mention, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
26. Anil Kumar Ram, Son of not mention, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
27. Prem Chand Ram, Son of not mention, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
28. Markandey Pathak, Son of Late Ganga Dayal Pathak, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
29. Rama Muni Ram, Son of Late Govind Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
30. Saroj Ram, Son of Late Jag Narayan Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
31. Kanhaiya Ram, Son of Late Ravi Shankar Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
32. Bashishtha Ram, Son of Late Ravi Shankar Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
33. Ajit Ram, Son of Late Ravi Shankar Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
34. Deepak Ram, Son of Late Ravi Shankar Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
35. Dilip Ram, Son of Sheo Murat Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
36. Mahesh Ram, Son of Late Jag Narayan Rain, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
37. Anil Ram, Son of late Jag Narayan Rain, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
38. Mundrika Ram, Son of Late Jaggar Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
39. Dukhit Ram, Son of Bhaduni Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
40. Chandrika Ram, Son of Late Moti Raj Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
41. Dharmendra Singh, Son of Late Pinu Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
42. Sunil Singh, Son of Late Rajendra Singh, Resident of Village-Khakhra, P.S.



Kargahar, District- Rohtas at Sasaram (Barahari O.P.)

43. Munil Singh, Son of Late Rajendra Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
44. Ayodhya Singh, Son of Late Bhuneshwar Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
45. Ram Prashan Singh, Son of Late Janaki Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
46. Sheo Dahin Singh, Son of Late Kewal Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
47. Umesh Kumar, Son of Sheo Dhari Singh, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
48. Jay Nandan Ram, Son of Late Basant Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
49. Madan Paswan, Son of Late Vyas Paswan, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
50. Guru Sah, Son of Late Harbansh Sah, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
51. Lalan Ram, Son of Late Moti Raj Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
52. Dukhi Ram, Son of Late Bhuli Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
53. Munna Ram, Son of Late Gulabachan Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)
54. Lalan Ram, Son of Late Moti Ram, Resident of Village-Khakhra, P.S. Kargahar, District- Rohtas at Sasaram (Barahari O.P.)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 10-10-2023

The present writ petition has been filed seeking the following relief:-

“1(i). To issue a writ / writs, order/orders, direction/directions including a writ in the nature of mandamus directing the official Respondents to get measuring about the land vacated appertaining



Khata No. 181, Khesra no. 698 and Rakba-7.31 acres and Khesra No. 869 and Rakba-3.73 acres, Thana No. 338 and Mauza- Khakhra having two plot numbers situated at Mauza-Khakhra, Anchal-Kargahar, District- Rohtas, which is "Aahar Anabad Sarva Sadharan" in the Revenue Register of the State Govt. but the same have been encroached by the local villagers and the official Respondents are not taking any action for removal of encroachment.

(ii). To issue writ/ writs, order/ orders, direction/ directions including a writ in the nature of mandamus directing to pass an appropriate order in encroachment matter and considering an application submitted by the petitioner on 13.06.2022 before the Respondent District Magistrate, Rohtas (Contained in Annexure- P/6) and passed the order regarding the encroached, by the Respondents no. 8 to 52 over land of "Aahar Anabad Sarva Sadharan Land."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Kargahar, District-Rohtas, for redressal of his aforesaid grievance. Liberty so sought, is granted.

3. It is needless to state that in case, the petitioner approaches the Circle Officer, Kargahar, District-Rohtas, by filing appropriate petition under the provisions of the Bihar



Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.10.2023
Transmission Date	NA

