

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14931 of 2024**

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Ramjiwan Das son of Late Parmeshwar Das, resident of village- Mahthi, Tola  
- Mohanpur, P.S.- Bibhutipur, Dist.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Addl. Chief Secretary, Revenue Deptt., Govt. of Bihar, Patna.
2. The Director, Revenue Deptt., Govt. of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Sub Divisional Officer, Rosera, Dist.- Samastipur.
5. The Circle Officer, Bibhutipur, Dist. - Samastipur.
6. Gopal Singh, Son of Late Gita Singh, resident of village- Mahthi, P.S.- Bibhutipur, Dist. - Samastipur.

... .. Respondent/s

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**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Shishir Kumar Shishir, Advocate |
|                      | : | Mr. Binod Kumar Sinha               |
| For the Respondent/s | : | Mr. Government Advocate-13          |

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

**ORAL JUDGMENT**

**Date : 30-09-2024**

Heard learned counsel for the petitioner and learned  
counsel for the State.

2. Following relief(s) have been prayed for in  
paragraph no. 1 of the present writ application.

*“1. That this application is being filed for  
issuance of writ in the nature of Mandamus  
commanding the Respondents to remove  
illegal encroachment from the raiyati land of*



*petitioner of Khata No. 1738 Khesra No. 9000 Area 1.5 Katha Moues Mahthi, Thana No. 9 P.S- Bibhutipur, Dist- Samastipur which was illegally and forcibly encroached by Respondent No.6 namely Gopal Singh and any other appropriate writ, order, direction save and except in accordance with law.”*

3. At the outset, learned counsel for the State submits that the petitioner has already moved before the Circle Officer, The Sub Divisional Complain Redressal Officer, and before the Additional Collector for redressal of his grievance but all the concerned have given the liberty to the petitioner to move before competent civil court since the remedy sought for is out of their jurisdiction.

4. Having considered the aforesaid facts and circumstances and on perusal of the Annexures- 2, 3 and 4, it appears that the matter is beyond the jurisdiction of the concerned authorities and in that view of the matter, petitioner is directed to move before competent Civil Court for redressal of his grievance related to removing of illegal encroachment from the land of the petitioner.



5. With the aforesaid observation/direction, the present writ application stands disposed of.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N/A        |
| Uploading Date    | 05.10.2024 |
| Transmission Date | N/A        |

