

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3872 of 2025

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Sujit Kumar Ojha, Son of Late Awadesh Ojha, resident of Banpura
Lahurapali, P.S.- Rasulpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Revenue, Bihar, Patna.
2. The Principal Secretary, Department of Land Revenue, Bihar, Patna.
3. The Collector-cum-District Magistrate, Saran.
4. The Sub-Divisional Officer, Chapra, Saran.
5. The Anchal Adhikari, Ekma, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Respondent/s : Mr.Standing Counsel (8)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL JUDGMENT

Date : 10-12-2025

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

2. The present writ petition has been filed for the
following relief(s):-

*“For issuance of an appropriate writ, order or
direction to the respondents for getting the
encroachment over Plot No. 963, Khata No.
700, Thana No. 27, Area-3 katha, 16 dhurs,
Gairmajarua Malik Land meant for road
described in Paragraph No. 3 of this writ
application, vacated and accordingly keep it so
that in future also no encroachment on the land
should be allowed.”*

3. Learned counsel appearing on behalf of the



petitioner submits that the petitioner has made an application to the competent authority i.e. Respondent No. 5 herein complaining about the illegal and unauthorized encroachment of the Government land in Plot No. 963, Khata No. 700, Thana No. 27, admeasuring an area of 3 *katha* 16 *dhurs*, which is classified as *Gairmajarua Malik* land. Learned counsel submits that though the petitioner has made a complaint way back in the year 2022, the authority till date has not taken any steps for removing the encroachment of the Government land. Further, it is submitted that the said land is meant for public road and unauthorized persons have illegally encroached the same. Learned counsel submits that a direction may be issued to Respondent No. 5 to dispose of the encroachment case pending before him as expeditiously as possible by putting a time-frame.

4. In the counter affidavit filed by the Respondent No. 5, it is specifically stated that pursuant to the complaint made by the petitioner, the authorities have initiated a land encroachment proceedings against the unauthorized and illegal encroachers and during the course of investigation, names of 21 persons were found in the Jamabandi which was suspicious in nature. Therefore, the authority has taken steps to get the Jamabandi cancelled and has addressed various letters to the Additional



Collector, Saran on 05.07.2024. Learned counsel appearing on behalf of the Respondent No. 5 further submits that as and when the Jamabandies are cancelled, the illegal encroachers will be removed from the unauthorized occupation of the Government land and the road will be restored.

5. Admittedly, in the present case, the petitioner has made a complaint way back in the year 2022. The authority, except issuing notices to the encroachers and also filing an application for cancellation of the Jamabandi, addressing a letter to the Additional Collector, Saran, Chapra seeking cancellation of the Jamabandi in the month of July, 2024, has not taken any further steps to see that the proceedings are initiated by the Additional Collector, Saran, Chapra for cancellation of the Jamabandi and take necessary steps for removing the encroachment.

6. Having regard to the same, Respondent No. 5 is directed to approach the Additional Collector, Saran, Chapra and apprise him of the necessity to cancel the Jamabandies which are found to be suspicious and existing in the name of 21 persons. The Additional Collector, Saran, Chapra is also directed to consider the letters sent by the Respondent No. 5 herein dated 05.07.2024 and various letters which are annexed



along with the writ petition as Annxure-D series and take necessary steps to see that the Jamabandi entries which are found to be suspicious are cancelled at the earliest and thereafter the Respondent No. 5 is directed to remove the encroachments if it is held that the subject land is a Government land. The authority shall endeavour to see that necessary orders are passed as expeditiously as possible, preferably within a period of 12 weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of.

(A. Abhishek Reddy, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	11.12.2025
Transmission Date	

