

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5766 of 2025

=====

Nishant Kumar @ Nishant Kumar Jha Son of Krishna Deo Jha Resident of
Village - Kushahar, P.S. - Tariyani, District - Sheohar, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate Cum Collector, Sheohar.
4. The District Land Acquisition Officer, Sheohar.
5. The District Education Officer, Sheohar.
6. The Sub-Divisional Magistrate, Sheohar, District-Sheohar
7. The Block Development Officer, Sheohar, District-Sheohar.
8. The Circle Officer, Sheohar, District-Sheohar
9. The Station House Officer, Tariyani Police Station, District-Supaul.
10. The Principal, Ram Khelawan Ranji High School Kushahar, Block-Sheohar, District-Sheohar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhiresh Kumar Dhiraj, Advocate
For the Respondent/s : Mr. Standing Counsel (13)

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-04-2025 Learned counsel for the petitioner prays for and is

allowed to correct the District of respondent no. 9.

2. Heard the parties.

3. The present writ petition has been preferred for the

following relief(s):

*“(i) For the issuance of an appropriate
writ, order, or direction, particularly in the nature
of Mandamus, or any other suitable writ/writs,*



commanding the respondent authorities, especially respondent no. 3 (The Collector, Sheohar), to take necessary action for the removal of illegal encroachment and trespass from the land appertaining to Khata No. 654, Khesara No. 7275, measuring an area of 13 decimals, situated at Mauza and Village Kushahar, Anchal Sheohar, P.S. Tariyani, District - Sheohar, belonging to the petitioner, as respondent no. 10, with the help of his associates and government officials, has unlawfully filled soil and constructed a boundary wall over the said land without the consent of petitioner and his any family members and without following the due process of law. Furthermore, respondent no. 10 has unlawfully threatened the petitioner and his family members not to be seen near the land;

(ii) For the issuance of an appropriate writ, order, or direction upon respondent nos. 1 to 10, directing them to ensure that the private land of the petitioner is restored to his possession, as respondent nos. 3 to 10 have failed in their duty to



protect the life, liberty, and property of the petitioner and other citizens within their jurisdiction. Due to their inaction, respondent no. 10, along with his associates, was not restrained when he unlawfully and forcibly dispossessed the petitioner and his family from their private plot of land. Despite repeated requests and representations submitted by the petitioner, no action has been taken by the said respondents to safeguard the petitioner's life and property, nor has any step been initiated till date to restore possession of the said land to the petitioner;

(iii) For issuance of an appropriate writ, order, or direction upon the Circle Officer, Sheohar (Respondent No. 8), commanding him to conduct the measurement of the land in question through a competent Amin of the concerned Anchal or District, in accordance with law and established procedures. The said measurement is essential to ascertain the exact boundaries and extent of the petitioner's land.

(iv) For issuance of an appropriate writ,



order, or direction upon upon the respondents-state for protecting the rights of the petitioner Specially directed to the Collector, Sheohar to immediately stop any ongoing further constriction upon the aforesaid private-land of the petitioner during pendency of this writ application.

(v) For issuance of a direction upon the respondent authorities to pay legal costs and expenses to the petitioner.

(vi) For any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

4. Learned counsel for the petitioner submits that he shall be approaching the respondent no. 3, the District Magistrate-cum-Collector, Sheohar for the redressal of his grievance.

5. Learned State counsel submits that if he prefers a proper application, the same shall be decided.

6. In that background, the writ petition stands disposed of with liberty to the petitioner to approach the Collector, Sheohar (respondent no. 3) within a period of four weeks.



7. If such application is preferred, the Collector, Sheohar (respondent no. 3) shall be taking up the matter and after hearing all the parties shall pass an appropriate order at an earliest.

8. The present writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

U			
---	--	--	--

