

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8030 of 2025

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Ravindra Kumar Ram Son of Late Muni Lal Ram, Resident of Village-
Sabdara, P.S.- Manjhi, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the District Magistrate, Chapra at Saran.
2. The District Magistrate, Saran at Chapra.
3. The Sub-Divisional Public Grievance Officer, Saran at Chapra.
4. The Sub-Divisional Officer, Chapra Sadar, District- Saran.
5. The Deputy Land Reforms Officer cum Deputy Collector, Chapra Sadar, District- Saran.
6. The Circle Officer, Manjhi, District- Saran.
7. Ravindra Kumar Ram, Son of Late Muni Lal Ram Resident of Village-
Sabdara, P.S.- Manjhi, District- Saran.
8. Munindra Ram, Son of Late Nand Lal Ram Resident of Village- Sabdara,
P.S.- Manjhi, District- Saran.
9. Abhay Ranjan, Son of Late Babu Lal Ram Resident of Village- Sabdara,
P.S.- Manjhi, District- Saran.
10. Virendra Ram, Son of Late Rangi Lal Ram Resident of Village- Sabdara,
P.S.- Manjhi, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Dutta Verma
For the Respondent/s : AC to GP-24

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2025 1. Heard learned counsel for the petitioner and
learned AC to GP-24 for the State.

2. The learned counsel appearing on behalf of the
petitioner, at the outset, seeks permission to rectify the name of
respondent no. 8. It is submitted that name of the respondent no.
8 is Munindra Ram and the same has been typed as Sunindra
Ram.



3. Permission is accorded.

4. The learned counsel for the petitioner submits that the instant writ application has been filed seeking a direction upon the authorities to remove encroachment over land pertaining to Khata No. 110, Khesra No. 767, Thana No. 199 at Village-Sabdara, Circle- Manjhi, District-Saran.

5. The learned counsel appearing on behalf of the petitioner straightway draws the attention of the Court to Annexure-4 to the writ application at Page-20 to submit that the Circle Officer, Manjhi has passed an order dated 08.06.2022 wherein it is recorded that the encroachers were issued notice, but they did not appear in pursuance of the notice issued and the land in dispute is *Gair Majarua Aam* land and the same has been encroached by the encroachers as such notice under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 is to be issued for removing the encroachment. It is submitted that despite order dated 08.06.2022 passed by the Circle Officer, the encroachment till date has not been removed.

6. The learned counsel for the petitioner next draws the attention of the Court to Annexure-9 to the writ application to submit that the same is a letter dated 03.07.2024 contained in Letter No. 1069 issued by the Circle Officer, Manjhi, Saran



addressed to the DCLR, Sadar, Chapra wherein it is recorded that the land pertaining to Khata No. 110, Khesra No. 767 area 6.56 decimal, type-Rasta (*Gair Majarua Aam*) is a *Gair Majarua Aam* land, further a land encroachment proceeding with respect to the land in dispute was initiated vide Encroachment Case No. 11 of 2021-2022, but then the encroachers informed that *Basgit Parcha* with respect to the land in dispute has been issued in their favour based on which they have come on the land as such, they are not encroachers, further that the land is *Gair Majarua Aam* land, as such, *Basgit Parcha* issued in favour of the encroachers be cancelled. The letter also records that *Basgit Parcha* in accordance with the rule is to be issued with respect to the raiyati land and for cancelling the *Basgit Parcha* in favour of the encroachers, Letter No. 106 dated 13.01.2023 was submitted to the District Magistrate, Saran based on which the DCLR had requested for producing the *Basgit Parcha* Record Case No. 85 of 1985-86, but despite hectic effort to locate the records, the same could not be located/found, as such, the record of *Basgit Parcha* Case No. 85 of 1985-86 could not be submitted since the land is *Gair Majarua Aam* land hence issuance of *Basgit Parcha* appears to be suspicious and thus requires to be cancelled. It is submitted



that despite Letter dated 03.07.2024 issued by the Circle Officer, Manjhi, Saran, the *Basgit Parcha* issued in favour of the encroachers till date has not been cancelled, on which the learned counsel appearing on behalf of the State submits that statement of fact has been received for filing a counter affidavit and from perusal of the same, it would manifest that State is also relying on the letter dated 03.07.2024 issued by the Circle Officer, Manjhi, Saran addressed to the DCLR, Sadar, Chapra.

7. The learned State counsel submits that the moment *Basgit Parcha* issued in favour of the encroachers is cancelled, further action in the encroachment case shall be initiated.

8. After hearing the learned counsel for the parties, **the writ application is disposed of** with a direction to the authority competent to ensure that the Letter No. 1069 dated 03.07.2024 issued by the Circle Officer, Manjhi, Saran addressed to the DCLR, Sadar, Chapra is acted upon within a time frame and preferably within a period of four months from the date of receipt/production of a copy of this order, in accordance with law after giving proper opportunity of hearing to all concerned.

9. It is made clear that if *Basgit Parcha* issued in favour of the encroachers as recorded in the letter dated



03.07.2024 is found to be illegal, in that event the
Encroachment Case No. 11 of 2021-2022 shall also be decided
within a period of two months thereafter in accordance with law.

(Satyavrat Verma, J)

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