

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20032 of 2013

Akhilesh Kumar Jha Son Of Shri Indra Kumar Jha Resident Of Village and
P.O. Dibra, P.S. Barhara Kothi, District - Purnea, At Present Residing At
Navraatan Hata, P.S. Khajanchi Hat, District - Purnea Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Home , Govt. Of Bihar, Patna
3. The Director General Of Police, Govt. Of Bihar, Patna
4. The Commissioner, Purnea Commissioner, Purnea
5. The Deputy Inspector General Of Police, Purnea
6. The District Magistrate, Purnea
7. The Superintendent Of Police, Purnea
8. The Additional District Magistrate, Purnea
9. The Deputy Superintendent Of Police Head Quarter , Purnea
10. The Sub - Divisional Officer, Sadar, Purnea
11. The Circle Officer/Anchaladhikari, Purnea East, Purnea East, Purnea
12. Officer - In - Charge, Police Station Sadar Purnea
13. Millia Educational Trust, Rambag Purnea, Through Its Director

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Jha, Advocate Mr. Bhairaw Nand Sharma, Advocate
For the State	:	Mr.Naman Nayak, AC to AAG-13
For respondent no.13	:	Mr. Rashied Izhar, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

4 09-07-2025 Heard the parties.

2. The petitioner has prayed for the grant of following

reliefs:

*“1. That the present application is for
issuance of a Writ in the nature of Writ of
Mandamus, commanding/directing the
respondents to take a final decision and to*



pass an effective Order according to law against the Respondent No.13, with immediate effect and discharge his duty to remove the illegal encroachment made by the Respondent No.13 and to restore the possession upon the Bihar Government Land along with the required Road bearing Khata No.444 and Khesara No.676 which Road is used by the petitioner and other similarly situated persons, to go out and to come in, from his Raiyati lands bearing Khata No.215 and Khesara No.675 to Purnea Municipal Road bearing Khata No.444 and Khesara No.682, where that Road is crossing through the said Bihar Government land and connects to petitioner's Raiyati land to Purnea Municipal Road as well as for the same grievances by the concerned authorities required proper measurement has already been done and enquiry has also been made time to time and it is found true and accordingly reports to this effect has also, already been submitted before the concerned respondents, which is evident from the records of measurement case (Abhilekh) 24/11-12, Encroachment Case No.3/12-13 and Purnea S.C. and S.T. Police Station Case No.3/2013 itself and further be pleased to direct the concerned respondents to give proper legal protection to the life and



property of the petitioner and his family members after considering the above said reports, without any further delay and accordingly the petitioner be allowed to use his Raiyaty lands and lead his life freely and fairly without any fear and pressure. And/or pass such other Order/Orders, Writ/Writs as your Lordships may think fit and proper.”

3. Learned counsel for the petitioner submits that on the basis of letter no.339 dated 23.02.2013 (Annexure-4) issued by Circle Officer, Purnea (East) SDO, Sadar, Purnea, final order in Land Encroachment Case No.03 of 2012-13 has been passed by the SDO, Sadar, Purnea on 13.03.2013 (Annexure-6). This order is in favour of the petitioner. However, the petitioner submits that despite this order existing, the encroachment has still not been removed and therefore the grievance of the petitioner subsists.

4. Learned counsel appearing for the respondents-State submits that the encroachment in question has already been removed.

5. There is no dispute between the parties that the order dated 13.03.2013 passed by the SDO, Sadar, Purnea is in favour of the petitioner and as per the same the grievance of the petitioner has to be addressed.



6. The learned District Magistrate, Purnea is directed to ensure that the order dated 13.03.2013 passed in Land Encroachment Case No.03 of 2012-13 is carried out and if there is still any encroachment left to be removed then the same should be removed as soon as possible.

7. With the aforesaid observation and direction, the present writ application is disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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