

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19591 of 2018

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Ravi Prakash Singh @ Pappu Singh Son of Sheo Prasad Singh Resident of
Village- Bhekas, Police Station- Bhabua, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Kaimur at Bhabua.
3. Sub Divisional Officer, Bhabua, District- Kaimur at Bhabua.
4. The Circle Officer, Bhabua , District- Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Pandey, Advocate Mr. Priyajeet Pandey, Advocate Ms. Megha, Advocate Mr. Kaustubh Kumar, Advocate
For the Respondent/s	:	Mr. Majid Mahboob Khan, Advocate
For the Intervener	:	Mr. Vinod Kumar Seth, Advocate Mr. Rajesh Kumar, Advocate Mr. Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 21-08-2025

Re:I.A. No.1/2025 with CWJC No.19591 of 2018

Heard learned Counsel for the petitioner, learned
Counsel for the intervener and learned Counsel for the State.

2. Learned Counsel for the petitioner submits
that the present writ petition has been filed for issuance of
mandamus directing the respondents to remove the illegal
Encroachment from the Government land bearing Khata No.
210, plot Nos.1315, 1378, 1380 and 1391 situated at Mauza-
Bhekas, Thana No.500, District- Kaimur at Bhabua, as the land



in question is recorded in the Khatiyan as “*Anavad Sarv Sadharan*” upon which there are Pond, Temple and Aam Rasta, which is issued by the villagers at large and the same has been illegally trespassed by unauthorized occupants. Learned Counsel for the petitioner submits that on the said land mentioned above, after filling earth /pond, they are constructing their houses causing obstruction in irrigating the lands, cattle drinking and bathing, holding public function such as Chhath Puja, Durga Puja, local Mela, marriage function, shradh and other ceremony of villagers.

3. Learned Counsel for the petitioner submits that the petitioner has earlier moved before this Hon’ble Court in Public Interest Litigation vide CWJC No. 21751 of 2014 which was disposed of on 30.01.2016 (Annexure-4). In the said order, it has been clearly observed that the writ petition is disposed of keeping in view the fact that this writ petition is fully covered by the observations made, and the directions made vide order dated 21.11.2015 passed in CWJC No.4309 of 2015.

4. Learned Counsel for the State submits that the relevant land is situated in Khata No.210, plot Nos. 1315, 1378, 1380 and 1391 situated at Mauza- Bhekas, Thana No.500, District- Kaimur at Bhabua, is recorded in continuous Khatiyan



as “*Anavad Sarv Sadharan*” and type of land is Pond, Temple and Aam Rasta. Counsel for the State submits that series of persons are sitting on the matter and to some of them land has been settled, but on the same hand also admit that there is Pond, Temple and Aam Rasta as well as some part has been allotted to the College also.

5. From I.A. No.1 of 2025, it transpires to this Court that intervener is claiming the settlement of the land.

6. In the light of the submissions made, this Court is of the firm view that the government has framed special law in this regard as well as according to policy, the Gairmajarua Aam land has not to be settled to anyone with certain restrictions. As such, an issue with strong contest on which the verification from the records about the right, title and interest, issuance of parcha etc. has to be verified from the government records, shall take time in deciding and granting opportunity to the person concerned.

7. As such, the present writ petition is disposed off directing the State to follow the law, which has been decided in the Public Interest Litigation vide order dated 30.01.2016 passed in CWJC No.21751 of 2014, and against the decision which government has taken or going to take by which anybody



who is aggrieved including the intervener, shall file application before the Collector, Kaimur at Bhabua and Collector shall entertain their objections and pass reasoned and speaking order individually within three months from the date of receipt/production of a copy of this order.

8. It is made clear that Collector, Kaimur at Bhabua, shall make publication in the local news paper in this regard and if no one come forward to raise any objection within the said period then in that case they shall be debarred from raising any further claim.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.08.2025
Transmission Date	

