

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12090 of 2025

Shreekant Mandal Son of Late Sukhdeo Mandal, Resident of Village- Nahas
Rupauli, P.O.- Nahas Rupauli, P.S.- Patauna, District- Madhubani, Bihar
... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate-cum-Collector, Madhubani.
3. The Sub Divisional Officer, Benipatti, District- Madhubani.
4. The Circle Officer, Bisfi, District- Madhubani.
5. The Superintendent of Police, Madhubani.
6. The Station House Officer, Patauna Police Station, District- Madhubani.
7. Shibu Mandal, Son of Late Surat Mandal, Village- Nahas Rupauli, P.O.- Nahas Rupauli, P.S.- Patauna, District- Madhubani, Bihar. ... Respondents

Appearance :

For the Petitioner : Mr.Vikas Kumar Jha, Adv.
For the Respondents : Mr.Standing Counsel (25)

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

3 20-11-2025 Heard the parties.

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

“a) For issuance of writ in the nature of mandamus, directing upon the respondent authorities to take necessary and appropriate action upon the applications given to the respondent authorities (Respondent No.2 to 6) in order to remove the encroachment from the pathway to the land of petitioner bearing Kheshra (old) No. 3000, 3000/2, 3001, 3002, Khata No. 132(old), Area 12 Dhur, Mauza - Nahas Rupali, Thana No. 217, Block Bisfi, District Madhubani as the Respondent No. 7 has blocked the Rasta (pathway) of the petitioner despite



this being a part of the petitioner's own land, which was mutually divided and agreed upon, providing a minimum of 2.5 feet of pathway for the petitioner to access their land, the Respondent No. 7 has still obstructed the pathway by installing a wooden barricade (Tat-Fadak) and not allowing passage. the nature of mandamus, directing and commanding upon the Respondent No.4 and 6 to take appropriate steps to establish the co-ordination among them and ensure the removal of encroachment from pathway of the land of the petitioner and completed the demarcation as per mutual agreement dated 19.06.2020 (Annexure-P/3) so that there would be no further issue come in this regard as the respondent no. 7 is repeatedly doing the same after some time of removal of encroachment.

c) For any other relief/reliefs for which, this Hon'ble Court deems fit”

3. Without going into the merits or demerits of this case, the present Writ Petition is disposed of at the stage of admission with the consent of both the counsels.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has given a representation to the Respondent No. 4, i.e., the Circle Officer, Bisfi, district Madhubani, ventilating his grievance and it would suffice if a



direction is given to the Respondent No. 4 to consider the said representation in accordance with law by fixing a time frame.

5. Per contra, the learned counsel appearing on behalf of the Respondent-State submits that there is no endorsement of the Circle Officer having received the said representation made by the petitioner. That the petitioner may be directed to give a fresh representation ventilating his grievance and the same shall be considered by the authority strictly in accordance with law.

6. Having regard to the above made submissions, the present Writ Petition is disposed of directing the petitioner to make his representation to the Respondent No. 4 within a period of four weeks from today. On such representation being given, the Respondent No. 4 shall consider the same strictly in accordance with law. The authority shall endeavour to pass a reasoned order after putting all the interested parties on notice and giving them opportunity of hearing. The Respondent No. 4 shall dispose of the representation as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of the representation by the petitioner. If any objections are filed by Respondent No. 7, the authority shall consider the same and pass orders. It is made clear that this Court has not gone into the merits of this case and leaving all



issues to be raised and all questions to be decided by the said authority. Any order passed shall be communicated to the parties.

7. With the above directions, the Writ Petition stands disposed of.

(A. Abhishek Reddy , J)

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