

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4722 of 2015

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Ram Nandan Mahto son of Bihari Mahto resident of village - Rahimpur,
Pyarepur, P.S. - Ghataho, Dist - Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Samastipur.
3. The District Panchayat Raj Officer cum Development Officer, Samastipur.
4. The B.D.O. Vidyapati Nagar, Samastipur.
5. The Circle Officer, Vidyapati Nagar Dalsinghsarai, Samastipur.
6. The Mukhiya Gram Panchayat Raj, Rahimpur, P.S. - Ghataho, Dist - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sabal Kumar Jha, Advocate
For the Respondent/s	:	Mr. Ravi kumar, AC to GP-13
		Mr. Akshay Lal Prasad, AC to GP-13
For the Intervenor Resp.	:	Mr. Praveen Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 25-09-2025 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and the State.

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

*“issuance of a direction to the
respondents concern to remove the encroachment
from the petitioner’s land consisting Khesra no.
1384, 1388, 1387, New Khesra no. 1924, 1925,
1926, 1927, 1928 to the area of about 4 decimal
have been forcibly encroachment by the respondent*



and constructed a road despite sufficient land/Govt. land are available but due to connivance with influential person the petitioner 's land has been encroached. AND/OR any other relief/s writ/s, direction/s for which the petitioner is found to be entitled in the facts and circumstances of this case.”

3. A counter-affidavit has come on behalf of respondent nos. 2 to 5 and learned State counsel has taken this Court straightway to paragraph-7 which reads as follows:

“7. That further these respondents have to say that in the light of this writ petition against the Circle Officer, Vidyupatinagar directed the Anchal Amin to do measurement of the lands in question. The Anchal Amin measured the same and reported to the Circle Officer. Thereafter the Circle Officer, Vidyupatinagar requested the Executive Engineer of Rural Development Department, Dalsingsarai to remove the construction of the Road over the land in question within 2-3 days vide his letter no. 1619 dated 21-08-2025 and the Block Development Officer, Vidyupatinagar also requested for the same



in same manner vide his letter no. 65 dated 23-08-2025.”

4. In view of the positive order passed by the respondents expecting them to take up the directions issued in letter nos. 1619 dated 21.08.2025 as also 65 dated 23.08.2025, the writ petition stands disposed of.

5. Needless to add, if the respondents failed to abide by their own conclusion arrived at as recorded in paragraph no. 7 of the petition, the petitioner shall be free to take steps for filing an appropriate petition for non-compliance of the said direction.

(Rajiv Roy, J)

Adnan/-

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