

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11404 of 2025

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Girish Sharma son of Late Baliram Sharma, resident of Village-Kalpa, Police Station-Kalpa, District-Jehanabad, and also resident of Asharam Kutir, New Area, Kadam Kuan, West Lohanipur, near Hanuman Temple, P.S.-Kadam Kuan, District-Patna-800003.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Bihar State Government.
2. The Principal Secretary, Department of Revenue and Land Reforms, Bihar State Government.
3. The Divisional Commissioner, Magadh Division at Gaya.
4. District Magistrate cum Collector, Jehanabad.
5. District Education Officer, Jehanabad.
6. District Program Officer, Jehanabad.
7. Additional Collector, Jehanabad.
8. Sub Divisional Officer, Jehanabad.
9. The Circle Officer, Jehanabad.
10. The Head Master/Principal Rajkiyakrita Madhya Vidyalaya, Kalpa, Jehanabad, situated on Noubatpur Road, Police Station-Kalpa, District-Jehanabad.
11. Rakesh Sharma @ Rakesh Kumar Sharma, son of Late Radhe Sharma, resident of Village-Kalpa, Police Station-Kalpa, District-Jehanabad.
12. Bhushan Sharma, son of Late Radhe Sharma, resident of Village-Kalpa, Police Station-Kalpa, District-Jehanabad.
13. Mithilesh Sharma, son of Late Matukdhari Singh, resident of Village-Kalpa, Police Station-Kalpa, District-Jehanabad.
14. Dhiraj Kumar alias Dhiraj Sharma, resident of Village-Kalpa, Police Station-Kalpa, District-Jehanabad.
15. Madan Sharma, son of not in the knowledge of the petitioner, resident of Village-Kalpa, Police Station-Kalpa, District-Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dev Kumar Pandey
For the Respondent/s : Mr. Standing Counsel (28)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA



ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 01-12-2025 Following is the relief sought for in the present writ application:-

“A. For a direction upon the Respondents 1st set to remove the encroachments made unscrupulously by the Respondent 2nd set and other unauthorized persons over the public lands donated by ex-intermediary (Zamindars Tikari estate) of Gaya district, to a school which is at present called Government (nationalized) Middle school – Kalpa Jehanabad, situated in Mouza – Kalpa and appertaining to plot no. 1395 (old)/ 1938 (new), of Khata no. 526 (old)/754 (new) in the town and district of Jehanabad, (referred as Land in question).

B. For a direction upon the Respondent no. 8 (circle officer) to expeditiously conclude and decide the long pending proceedings of encroachment case no. 09/2023-24 initiated against Respondent 2nd set case so as to make the entire 60 decimals public land of said middle school free from illegal encroachments.

C. For a direction upon the respondent nos. 4 to 9 to get the cases related to Jamabandi dispute as raised by the respondent 2nd set over 28 decimals of the land in question, disposed of expeditiously within statutory time frame so as to make the land in question free from encroachment and to be utilized as sports ground for the said middle school.

D. For a direction to respondent 4 to 8 to expeditiously remove encroachments from the part



of land in question (about 30 decimals) which are not subject matter of pending Jamabandi dispute and fortify the remaining vacant lands of said middle school so as to utilize the same for promoting sports for the students of Government (nationalized) middle school Kalpa and also for development of school children studying/residing in peripheries of the school in question.

E. Any other relief or reliefs in larger public interest.”

2. Considering nature of the relief sought, petitioner is directed to file a representation before Respondent No. 4. Respondent No. 4 shall consider the petitioner’s grievance and pass an appropriate order in accordance with law at the earliest, after granting an opportunity of hearing to all the stakeholders.

3. With the aforesaid observation, the present writ application stands disposed of.

4. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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