

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13662 of 2025

Bijendra Ram Kailash Singh Son of Late Ram Kailash Singh, Resident of Village Ashopur, Post Beriya, P.S. Piprahi, District Sheohar and presently residing at J/277, Tarapore Garden, New Link Road, Opposite Oshiwara Police Station Andheri West, Mumbai (Maharashtra) 400053.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna, Bihar.
2. The Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
3. The Additional Chief Secretary, Land and Revenue Department, Bihar, Patna.
4. The District Magistrate, Sheohar, District Sheohar.
5. The Superintendent of Police, Sheohar, District Sheohar.
6. The Sub Divisional Officer, Sheohar, District Sheohar.
7. The Circle Officer, Puranhiya, District Sheohar.
8. The Station House Officer, Piprahi Police Station, District Sheohar.
9. Udan Roy Son of not known, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
10. Gultan Roy Son of not known, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
11. Bindeshwar Singh Son of Lakshmi Singh, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
12. Upendra Singh Son of Rajendra Singh, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
13. Sanjay Singh Son of Rajendra Singh, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
14. Bhikahari Ram Son of Janak Ram, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
15. Shiv Mangal Roy Son of Bholi Roy, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
16. Hari Ram Son of not known, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
17. Vijay Singh Son of Not known, Resident of Village Ashopur, Post Beriya,



P.S Piprahi, Anchal Purnahiya, District Sheohar.

18. Chunnu Lal Son of Ganga Prasad, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
19. Shambhu Giri Son of Kaladhar Giri, Resident of Village Ashopur, Post Beriya, P.S Piprahi, Anchal Purnahiya, District Sheohar.
20. Inderdev Singh Son of Bhup Singh, Resident of Village Ashopur, Post Beriya, P.S. Piprahi, Anchal Purnahiya, District Sheohar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 01-11-2025 Following are the reliefs sought in the present writ application:-

“(i) To give order/ orders, direction/directions commanding the Respondents to remove the illegal encroachment made by the private respondents and other persons on the main approach public road of Katiya leading to Sri Sri 108 Ram Lakshman Janki Ji Temple, Ashopur, by issuing a writ in the nature of Mandamus.

(ii) To give order/orders, direction/directions commanding the respondents to restore the actual area of road and remove the illegal encroachment upon the public road by the



private Respondents and other persons who have constructed temporary/ permanent structure placing boundary walls and obstructed the free right of way to the public temple thereby causing grave hardship and infringing the religious and fundamental rights of the villagers by issuing writ in the nature of Mandamus.

(iii) To give order/ orders, direction/directions commanding the Respondent authorities to dispose of the application dated 04.04.2025 filed by the petitioner.

(iv) To any other relief/reliefs as petitioner is entitled to get in the facts and circumstances of the case.”

2. Learned counsel for the State submits that a proceeding under the Bihar Public Land Encroachment Act, 1956 has already been initiated vide Encroachment Case no. 02 of 2025-26 and the notices have already been issued to all the stake holders.

3. The Respondent no.7 is directed, after giving an opportunity of hearing to all the stake holders, to pass an appropriate order under Section 6 of the Bihar Public Land Encroachment Act, 1956 in accordance with law, preferably within a period of six months.



4. With the aforesaid direction, the writ petition
stands disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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