

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11168 of 2025

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Ramesh Prasad Singh @ Ramesh Singh, Son of Late Sitaram Singh, Resident of village- Korla, P.S. - Mufassil, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate- cum-Collector, Begusarai.
3. The Circle Officer, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amarnath Kumar- Advocate
For the Respondent/s	:	Mr. Standing Counsel (12)
		Mr. AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-08-2025 1. Heard learned counsel for the petitioner and learned AC to SC-12 for the State.

2. The learned counsel appearing on behalf of the petitioner submits that the land of the petitioner pertains to Khesra No.404, 402 and 401, Thana No.195 at village- Korla, P.S. Mufassil, District- Begusarai.

3. It is next submitted that petitioner received a notice with respect to Land Encroachment Case No.12 of 2021-22. The encroachment notice received by the petitioner was with respect to land pertaining to Khesra No.383, which is adjacent to the plot of the petitioner appertaining to Plot No.404.

4. The learned counsel for the petitioner does not



dispute the fact that land pertaining to Khesra No.383 is a government land, but then, fairly accepts that some part of the land was encroached and after receiving the notice in Land Encroachment Case No.12 of 2021-22, the petitioner demolished the encroachment over Plot No.383. It is further submitted that after the petitioner demolished the encroachment made by him over Plot No.383, thereafter again petitioner received a notice with respect to the same plot i.e. Plot No.383 asking him to remove further encroachment, for which Land Encroachment Case No.13 of 2021-22 was instituted. The learned counsel for the petitioner submits that when petitioner had already removed the encroachment from land pertaining to Plot No.383, where was the occasion for the Circle Officer to institute another Land Encroachment Case i.e. Land Encroachment Case No.13 of 2021-22 asking the petitioner to remove encroachment over Plot No.383, when no encroachment existed on the said plot, on which the learned counsel appearing on behalf of the State submits that it absolutely does not stand to reason that as to why the instant writ application has been filed when the petitioner is not disputing the fact that Plot No.383 is a government land. It is also submitted that even if the encroachment, as submitted by the petitioner, was removed from



Plot No.383 in pursuance of notice received in connection with Land Encroachment Case No.12 of 2021-22 and if the authorities thereafter came to a conclusion that some encroachment still remains to be removed for which another notice was issued and Land Encroachment Case No.13 of 2021-22 was instituted, the same in no manner can be alleged that the said encroachment case was instituted for any ulterior reason.

5. The learned State counsel further submits that if there is any encroachment on land pertaining to Plot No.383, it is the duty of the Circle Officer to ensure removal of encroachment more so, when petitioner is not disputing that the land pertaining to Plot No.383 is a government land. It is also submitted that it absolutely does not stand to reason that as to why the instant writ application was filed, on which the learned counsel appearing on behalf of the petitioner submits that the instant writ application was filed for quashing the notice dated 17.06.2025 issued under Section 6(2) of the Bihar Public Land Encroachment Act by the Circle Officer in connection with Encroachment Case No.12 of 2021-22 without passing any final order under Section 6(1) of the aforesaid Act.

6. At this stage, the learned counsel appearing on behalf of the petitioner submits that the grievance of the



petitioner with respect to Land Encroachment Case No.12 of 2021-22 stands redressed as petitioner himself admits that the encroachment made over plot no.383 was removed after receiving notice in the aforesaid Land Encroachment Case No.12 of 2021-22.

7. After hearing the learned counsel for the parties, the Court completely fails to appreciate that as to why the instant writ application was filed when petitioner is not disputing that Plot no.383 is a government land and the petitioner has no concern with the same.

8. The Court finds no merit in the writ application, the writ application is dismissed.

9. The counter-affidavit filed on behalf of the Respondent Nos.2 and 3 is taken on record.

(Satyavrat Verma, J)

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