

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11966 of 2025

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1. Sri Shravan Prasad Keshri Son of Late Brahamdeo Ram resident of Village-Dobhi, P.O.- Dobhi, P.S.- Dobhi, Anumandal - Sherghati, District - Gaya, State of Bihar-824201.
 2. Smt. Manju Devi Wife of Sri Sarwan Prasad Keshri resident of Village-Dobhi, P.O.- Dobhi, P.S.- Dobhi, Anumandal - Sherghati, District - Gaya, State of Bihar-824201.
 3. Sri Ashok Prasad Keshri Son of Late Brahamdeo Ram resident of Village-Dobhi, P.O.- Dobhi, P.S.- Dobhi, Anumandal - Sherghati, District - Gaya, State of Bihar-824201.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate, Gaya, Collectorate Campus, Gaya, Bihar.
3. The Sub-Divisional Officer, Sherghati, District- Gaya, Bihar.
4. The Circle Officer, Dobhi, District - Gaya, Bihar - 824220.
5. Sri Santosh Kumar Verma Son of Late Sri Gowardhan Mahto, Resident of Village - Keshapi, P.O. Dobhi, P.S. -Dobhi, Anumandal- Sherghati, District Gaya, State of Bihar-824201.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Aashit Sinha, Advocate
For the Respondent/s	:	Mr. AC to SC-16

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2025 Heard learned counsel for the petitioners and learned
AC to SC-16 for the State.

2. Learned counsel for the petitioners submits that the instant writ application has been filed for a direction upon the respondent authorities not to take any coercive action against the petitioners in view of the notice dated 28.06.2025 issued by the Circle Officer, Dobhi, Gaya in Land Encroachment Case No. 03/2024-25 whereby petitioners have been declared as



encroachers over the land bearing Khata No. 179, Plot No. 1012, area 1.12 acres, Mauza Dobhi, P.S. Dobhi, Sherghati, district Gaya.

3. Learned counsel for the petitioners submits that petitioners were issued notice in the aforesaid Land Encroachment Case No. 03/2024-25 in pursuance whereof the petitioners appeared and submitted their sale deed by which the petitioners had purchased the land in dispute.

4. Learned counsel appearing on behalf of the State submits that either a person purchases litigation or property. It is further submitted that sale deed in no manner can establish the title of the petitioners. It is next submitted that the writ application also does not disclose the Jamabandi number of the vendor of the petitioners which amply demonstrates that petitioners purchased the land from their vendor who perhaps was not having title over the land on which learned counsel appearing on behalf of the petitioners submits that petitioners have filed Encroachment Appeal Case No. -- of 2025 in the Court of the District Magistrate-cum-Collector, Gaya on 12.07.2025 (Annexure- P/4). It is also submitted that till date case number of the aforesaid encroachment appeal has not been provided by the office of the District Magistrate-cum-Collector,



Gaya but then submits that since the appeal is in continuation of the proceeding, as such, the petitioners would be enclosing all the relevant documents to establish their rights over the land in dispute in the instant writ application.

5. Learned counsel appearing on behalf of the State submits that the writ application can be disposed of with a direction to the District Magistrate-cum-Collector, Gaya to provide the case number in Encroachment Appeal Case No. -- of 2025 filed by the petitioners so that the same can be disposed of within a time frame.

6. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the District Magistrate-cum-Collector, Gaya to ensure that case number is provided to the petitioners in the appeal which they have filed against the order passed by the Circle Officer, Dobhi in Encroachment Case No. 03/2024-25 within a period of fifteen days from the date of receipt/production of a copy of this order. Further, after case number is provided in the appeal, the District Magistrate-cum-Collector, Gaya after giving proper opportunity of hearing to all concerned shall consider and dispose of the appeal within a period of three months from the date of receipt/production of a copy of this order.



7. It is made clear that no coercive action shall be taken against the petitioners in pursuance of the notice dated 28.06.2025 issued by the Circle Officer, Dobhi, Gaya in Encroachment Case No. 03/2024-25 till the encroachment appeal is not disposed of by the District Magistrate-cum-Collector, Gaya.

8. At this stage, learned counsel appearing on behalf of the petitioners submits that petitioners have also filed Title Suit No. 276 of 2025 in the Court of learned Civil Judge-I, Senior Division, Sherghati, Gaya with respect to the land in dispute for getting their title and possession declared over the land. It is, thus, submitted that the appeal should await the disposal of Title Suit No. 276 of 2025 on which learned counsel appearing on behalf of the State submits that if the petitioners succeed in Title Suit No. 276 of 2025, in that event, action in accordance with law shall be taken.

(Satyavrat Verma, J)

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