

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14927 of 2025

Rakesh Kumar @ Rakesh Bhagat, aged about 34 year, Gender-Male, Son of Mahendra Bhagat, resident of Village-Bhagwanpur Bania, P.S.-Saraiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Govt. of Bihar.
2. The Chairman, Bihar State Board of Religious Trust, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Additional Collector cum First Appellate Authority (Public Grievance Redressal), Muzaffarpur.
5. The Sub-Divisional Public Grievance Redressal Officer, Muzaffarpur West, Muzaffarpur.
6. The Circle Officer, Saraiya Circle, Muzaffarpur.
7. Jakir Miyan, aged about 70 years, Gender-Male, Son of Jugali Miyan, resident of Village-Bhagwanpur Marwapar, P.S.-Saraiya, Dist.-Muzaffarpur.
8. Nabbu Jan Miyan, Son of Marhum Miyan Hussain, resident of Village-Bhagwanpur Marwapar, P.S.-Saraiya, Dist.-Muzaffarpur.
9. Taiyab Ali Miyan, Son of Marhum Junade Miyan, resident of Village-Bhagwanpur Marwapar, P.S.-Saraiya, Dist.-Muzaffarpur.
10. Kitab Miyan, Son of Marhum Junab Miyan, resident of Village-Bhagwanpur Marwapar, P.S.-Saraiya, Dist.-Muzaffarpur.
11. Sadik Miyan, Son of Jugali Miyan, resident of Village-Bhagwanpur Marwapar, P.S.-Saraiya, Dist.-Muzaffarpur.
12. Manjur Miyan, Son of Rahup Miyan, resident of Village-Bhagwanpur Marwapar, P.S.-Saraiya, Dist.-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar, Advocate
For the State	:	Mr. Raghwanand, GA 11
		Mr. Sanjay Kumar Tiwari, AC to GA-11

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)



Date : 03-11-2025

Heard learned counsel for the parties.

2. Following reliefs are sought for in the present writ petition:

“That the present Public Interest Litigation petition is for issuance of an appropriate writ, order or direction, particularly a writ in the nature of Mandamus, directing the concerned authorities to take immediate steps to protect, preserve and restore public land, specifically the land classified as "Girmajarua" and recorded in the Khatiyani as "Dev Sthan" (place of worship), which has been illegally encroached upon by private respondents who have constructed residential structures over it, thereby violating public rights and the sanctity of the land reserved for religious /community purposes. And/or pass such other order(s), direction/(s) as your lordships may deem fit and proper.”

3. From the records, it appears that the respondents have already addressed the grievance of the petitioner vide order dated 09.03.2018 (Annexure-P3). On an appeal preferred by the petitioner, the First Appellate Authority, by order dated 22.06.2018 (Annexure-P4), has also taken action against the erring Circle Officer (Respondent No. 5) with respect to the grievance raised by the petitioner.

4. The Circle Officer is directed to pass a final order in Encroachment Case No. 05/2017-18, after following due process of law, at the earliest.



5. With the aforesaid observation, the present writ
petition stands disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.11.2025
Transmission Date	

