

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16094 of 2025

Roshan Kumar Yadav Son of Late Bedanand Yadav, resident of Bhitha, P.O. and P.S - Ismailpur District- Bhagalpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms, Government of Bihar, Patna.
2. The Commissioner, Bhagalpur Division, Bhagalpur.
3. The Collector Bhagalpur, at District- Bhagalpur.
4. The Deputy Collector Land Reforms, at Naugachiya, District- Bhagalpur.
5. The Senior Superintendent of Police Bhagalpur, at District- Bhagalpur.
6. The Circle Officer Ismailpur, at Block Ismailpur, District- Bhagalpur.
7. The S.H.O Ismailpur Police Station, at District- Bhagalpur.
8. Sikandar Yadav, Son of Late Darogi Yadav, resident of village- Bhitha, P.S.- Ismailpur, District- Bhagalpur.
9. Saligram Yadav, Son of Late Darogi Yadav, resident of village- Bhitha, P.S. - Ismailpur, District- Bhagalpur.
10. Suresh Yadav, Son of Late Darogi Yadav, resident of village- Bhitha, P.S. -Ismailpur, District- Bhagalpur.
11. Gokul Yadav, Son of Late Darogi Yadav, resident of village- Bhitha, P.S.- Ismailpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate
For the Respondent/s : Mr. Standing Counsel (04)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-11-2025 Heard the parties.

2. The present petition has been preferred for the following relief(s):

*“for issuance of a writ in the nature of
“Mandamus” commanding and directing the
particularly State respondent no. 6 to comply order*



dated 12.06.2017 passed by ld. Court of Commissioner Bhagalpur, Division Bhagalpur in the appeal case no. 41/2015-16. Wherein the Ld. Commissioner allowed the appeal filed by petitioner's father namely Vedanand Yadav and as such set aside the order dated 31.12.2014 passed by Ld. D.C.L.R in the case no. 05/2014-15 and the Id. Commissioner further directed the Circle Officer, Ismailpur, District-Bhagalpur to get the lands demarcated on the basis of available documents produced by the concerned parties before him. In pursuance of the order, the Circle officer will get the land demarcated on the basis of available documents of the concerned parties with regard to the land bearing Khata no. 707(CS) and 16 Sikmi khata (RS) appertaining to Khesra No. 298 and 299 and measuring the area of 1.95 acre and 0.43 acre falling within Mauza- Ismailpur, P.S- Ismailpur, Block-Ismailpur, District- Bhagalpur. As per the order he was further pleased to observed that if the lands in question has been encroached by private respondents hereinabove then he



directed the lands in question to be freed from illegal encroachment and if the measurement or demarcation of the land is not possible without using force, then the Circle officer will execute the order by taking help of police force from the concerned police station if needed and these exercise should be completed within 30 days.”

3. The petitioner wants execution of the order dated 12.06.2017 passed by the Commissioner, Bhagalpur Division, Bhagalpur in Appeal Case No. 41/2015-16 (Vedanand Yadav vs. The State & Ors.).

4. The submission of learned State counsel is that there is nothing on record to show that a fresh petition has been preferred pursuant to the said order and/or the same has been not taken up/disposed of.

5. The submission seems to be valid. Earlier, one of the respondent (Suresh Yadav) had also moved before this Court in CWJC No. 6 of 2019 which was disposed of by a Coordinate Bench on 09.10.2023 directing the petitioner to move before appropriate Revenue Authority (Annexure P/3 to the petition).

6. In that background, the writ petition stands disposed of allowing the petitioner to approach the respondent



no. 6, the Circle Officer, Ismailpur, Bhagalpur who shall be
noticing all the parties and after hearing them will be taking the
matter to its logical conclusion at an earliest.

(Rajiv Roy, J)

Adnan/-

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