

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14747 of 2025

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Surendra Sah, Son of Shri Mahabir Sah, Resident of Village- Tiyara Kala,
Post- Parchha, Police Station -Chutiya, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Land and Revenue, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate, Rohtas.
4. The Sub-Divisional Officer, Dihari, District-Rohtas.
5. The Circle Officer, Nauhatta, District-Rohtas.
6. The Station House Officer, Police Station-Chutiya, District-Rohtas.
7. Amerika Paswan, son of Late Ratan Paswan, resident of Village- Tiyara Kala, Post- Parchha, Police Station-Chutiya, District- Rohtas.
8. Subhag Yadav, son of Shri Ramdeo Yadav, resident of Village- Tiyara Kala, Post- Parchha, Police Station-Chutiya, District- Rohtas.
9. Baban Mishra, son of Late Meharban Mishra, resident of Village- Tiyara Kala, Post- Parchha, Police Station-Chutiya, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Respondent/s : Mr. Syed Hussain Majeed, AC to SC-6

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-09-2025 The instant writ petition has been filed by the

petitioner under Article 226 of the Constitution of India, seeking

the following reliefs :-

*“ i) For issuance of writ in the nature of
mandamus directing the Circle Officer Nauhatta to
conclude the case initiated against Respondents
No.7 to 9 vide notice dated 14.10.2022 and further
to take proper steps for removal of encroachment in
name of Road from the raiyati land of the petitioner*



appertaining to Khata No. 81 Khesara No. 889 having area 3.28 Acores situated in Mauja Tiwara Kala and Revenue P.S. 626.

ii) For issuance of writ in the nature of mandamus directing the respondent Sub-Divisional Officer, Dihari, Rohtas and the Circle Officer, Nauhatta to act upon the inquiry report dated 06.07.2022 (i.e. Annexure-P/5 herein) and to take legal action against the encroachers in accordance with law.

AND

For any other relief/ reliefs for which the petitioner is entitled for in the eye of law.”

2. Heard Mr. Manoj Kumar, learned counsel for the petitioner and Mr. Syed Hussain Majeed, AC to SC-6 for the State-respondents.

3. The main grievance of the petitioner is that his case relating to removal of encroachment over his raiyati land by the private respondents, is not being decided by the Circle Officer, Nauhatta, Rohtas (respondent No. 5) despite the notices upon his application (Annexure -P/1) having been issued to the concerned parties on 14.10.2022 and the petitioner has approached the Sub-Divisional Officer, Dihari, Rohtas (respondent No. 4), by filing an application dated 28.07.2022 (annexure-P/6 series) to direct the Circle Officer, Nauhatta, Rohtas, to take steps for expeditious disposal of his matter, but even then, no action has been taken by the Circle Officer,



Nauhatta, Rohtas, (respondent No. 5).

4. Learned counsel for the State-respondents submits that the Circle Officer, Nauhatta, Rohtas (respondent No. 5) may be directed to expedite the petitioner's matter.

5. Considering the aforesaid submissions and taking into account the annexures filed by the petitioner with this petition and also having gone through the averments made in this petition, the Circle Officer, Nauhatta, Rohtas (respondent No. 5), is hereby directed to dispose of the petitioner's matter expeditiously preferably within eight weeks from the date of receipt of a copy of this Court's order or production of the same.

6. Accordingly, with the above direction, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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