

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15621 of 2025

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Jagan Paswan Son of Late Avadh Paswan, Resident of Village- Kanjia, P.S.-
Sikaraul, District- Buxar (Bihar). Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Buxar.
 2. The Sub Divisional Officer, Dumraon, Buxar.
 3. The Circle Officer, Nawanagar, Buxar.
 4. Police Paswan, Son of Jalim Paswan, Resident of Village- Kanjia, P.S.-
Sikaraul, District- Buxar.
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay, Adv.
For the Respondent/s : Mr. Md. Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-10-2025 The instant writ petition has been filed by the

petitioner under Article 226 of the Constitution of India, seeking

the following relief :-

*“1. That this writ petition is being filed
herewith seeking direction upon Respondent No.1 to
consider the representation filed by the petitioner
whereby exit road (Rasta) provided to the petitioner
lies in government land have been encroached by
the Respondent No.4 and in this way the exit road
which lies in the southern portion of purchased land
of the petitioner (to the extent of 2 decimals) which
is homestead have been closed by the Respondent
No.4 leading him deprivation from the right of
easement as such the instant writ petition for
issuance of writ commanding the respondents to
consider the representation of the petitioner and
pass an appropriate order.*

*And for such other order/ orders which
may be found just and proper in the facts and*



circumstances of the case.”

2. Mr. Om Prakash Upadhyay, learned counsel for the petitioner and Mr. Md. Irshad, learned AC to SC-1 for the State-respondents, are present and they are heard.

3. The main grievance raised by the petitioner in this writ petition is that the private respondent No. 4 has made an encroachment over a particular Government land, which resulted in closing of the exit road (rasta) of the petitioner's purchased land. The petitioner has already filed Encroachment Case No. 01/2018-19 against the said private respondent No. 4 with the allegation of encroachment having been made by the respondent No. 4 over the Government land.

4. Considering the nature of the issue raised by this petitioner, this Court is not persuaded to invoke its writ jurisdiction in this matter. The petitioner should have raised his grievance in Encroachment Case No. 01/2018-19, however, the District Magistrate, Buxar, before whom the petitioner has filed a representation, is directed to dispose of the representation, as per the provision of law. With this direction to the District Magistrate, Buxar, the instant writ petition stands disposed of.

(Shailendra Singh, J)

annu/-

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