

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15622 of 2025

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Kumar Ajit son of Deo Nath Singh, Resident of village- Sarathua, P.S. Udwant Nagar, District- Bhojpur at Ara, presently residing at C-19, Akanksha Kunj, Civil Centre, Bhilai Durg, Chhatisgarh-490006.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, New Secretariat, Patna.
2. The District Magistrate, Bhojpur at Ara.
3. The Deputy Collector, Land Reforms, Ara, Bhojpur.
4. The Circle Officer, Udwant Nagar, Bhojpur at Ara.
5. The Officer -In-Charge- cum-SHO, Udwant Nagar, Bhojpur at Ara.
6. Srikant Singh, son of late Ravi Shankar Singh, resident of village- Sarthua, P.S. Udwant Nagar, District- Bhojpur at Ara.
7. Barmeshwar Singh, son of late Kishun Singh, resident of village- Sarthua, P.S. Udwant Nagar, District- Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhanesh Shankar Vidyarthi, Adv.
For the Respondent/s : Mr. Nagendra Prasad Yadav, SC-23

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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 is an application for issuance of a writ of mandamus directing the respondents 1st Set to remove the encroachment and occupancy of the respondent no. 6 and 7 from the petitioner's land situated at Mauza-Sarthua, Thana No. 218 Khata No. 778 Plot No. 3902, Area 05 decimals on which there is a dwelling house of the petitioner but its 4.08 decimals has been encroached by the private respondents 2nd set illegally by



erecting a wall without any title, right or interest.”

2. The main grievance raised by the petitioner in this writ petition is that the private respondent Nos. 6 and 7 have made encroachment over the petitioner's land measuring 4.08 decimal pertaining to Thana No. 218 Khata No. 778 Plot No. 3902 situated at Mauza – Sarthua. Learned counsel for the petitioner submits that for redressal of his issue, he moved before the Deputy Collector Land Reforms (DCLR), Ara (respondent No. 3), by filing BLDRA No. 17/2024-25, which was adjudicated vide order dated 26.06.2025 (Annexure- P/2) giving direction to the Circle Officer, Udwant Nagar, Bhojpur at Ara (respondent No. 4), to get the petitioner's land measured by Anchal Amin and by the same order, respondent Nos. 6 & 7, have been directed to remove encroachment if the same is found upon measuring the petitioner's land. It is further submitted that in compliance with the DCLR order, the land in question was measured by the Amin and the report was submitted by the Amin by way of Annexure- P/5, which clearly shows that in the western side of the petitioner's land pertaining to Kheshra No. 3902, has been encroached by the private respondent Srikant Singh (Resp. No. 6) by constructing a boundary wall. It is further submitted that the report of the said Amin clearly goes to



show that the private respondent No. 6 has made an encroachment over the petitioner's land and in the order dated 26.06.2025 passed by the DCLR, Ara, there was specific direction to the respondent No. 6 to remove the encroachment from the petitioner's land if the same was found but even then no action has been taken either by the respondent No. 6 or by the Circle Officer, Udwant Nagar, Bhojpur at Ara (respondent No. 4), to remove the encroachment.

3. Considering the aforesaid facts as well as having gone through the aforesaid referred Annexures and the order dated 26.06.2025 passed by the DCLR, Ara (respondent No. 3), the DCLR, Ara, is hereby directed to ensure the compliance of his own order, as per the provision of law, in the next three months from the date of receipt of a copy of this Court's order or production of the same.

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

(Shailendra Singh, J)

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