

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16462 of 2025

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Kundan Kumar Pandey, Son of Late Arun Kumar Pandey, Resident of
Village- Gop Bharauli, Police Station- Simri, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
2. The District Magistrate, Buxar.
3. The Superintendent of Police, Buxar.
4. The Sub-divisional Officer, Buxar.
5. The Deputy Collector, Land Reforms, Dumraon, Buxar.
6. The Circle Officer, Simri, Buxar.
7. The Block Development Officer, Simri, Buxar.
8. The S.H.O., Simri P.S., Buxar.
9. The Mukhia, Asha Parari Panchayat, Simri, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mrs. Anuradha Singh, SC-21

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-11-2025 The instant writ petition has been filed by the

petitioner under Article 226 of the Constitution of India seeking

the following relief(s):-

*“1) That this is an application for issuance
of an appropriate writ and/or order and/or direction
commanding the respondents to remove the
encroachment from a portion of Khatiyani Raiyati land
of the petitioner bearing Khata no.41, Khesra no.23,
Thana no.19, Area 54 Decimal over which a pucca road
has been constructed forcibly by the Mukhiya of Asha
Parari panchayat, Simri, Buxar under a scheme of
panchayat without following any procedure of*



acquisition or through any process by the government.

The petitioner also seeks a direction to the respondents from the Hon'ble Court to pay the compensation to the petitioner for land which has been taken for construction of a pucca road in Asha Parari panchayat, Simri, Buxar.”

2. Mr. Sanjay Kumar, learned counsel appearing for the petitioner and Mrs. Anuradha Singh, learned SC-21 for the State-Respondents are present and they are heard.

3. The main grievance raised by the petitioner in this writ petition is that a pucca road has been forcibly constructed by the Mukhiya of Asha Parari Gram Panchayat, Simri, Buxar, over his Khatiyani Raiyati land under a Panchayat scheme, without following any procedure of acquisition.

4. During the course of argument, this Court notices Annexure-P/2, a complaint filed by one Santosh Kumar Pandey, brother of the petitioner, as stated by the petitioner's counsel and the enquiry report on the said complaint shows that in respect of the land in question, the concerned Gram Panchayat did not have any administrative approval for the construction of the alleged road and there was no Panchayat scheme for the construction of the same during the alleged time period and the allegations raised by Santosh Kumar Pandey were found to be baseless but as per the petitioner's counsel, the said finding



given by the S.D.O., Lok Shikayat, Dumraon, Buxar, is completely incorrect and has been made to conceal the wrongs committed by the concerned Gram Panchayat.

5. This Court is of the view that the issue raised by the petitioner in this writ petition is premature for consideration. However, the District Magistrate, Buxar (Respondent No. 2), before whom the petitioner has filed several representations dated 10.07.2025, 24.07.2025, 12.08.2025, 25.08.2025, and 10.09.2025, is directed to examine the issue raised by the petitioner in an impartial manner and take steps to redress the petitioner's grievance as per the provisions of law within four months from the date of receipt or production of a copy of this order, if he has made out a *bona fide* case.

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

(Shailendra Singh, J)

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