

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2657 of 2022

In
Civil Writ Jurisdiction Case No.19829 of 2019

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Anuplal Mandal, Son of Late Medi Mandal Representative of Mukhiya,
Kishandaspur Panchayat, resident of Village- Barohiya, P.O. and P.S.-
Buddhachak, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. Sri Subrat Kumar Sen, the District Magistrate, Bhagalpur.
3. Sri Madhukant, the Sub-Divisional Officer, Kahalgaow, Bhagalpur.
4. Sri Vivekanand Mandal, The Deputy Inspector General, Bhagalpur.
5. Sri Babu Ram, The Superintendent of Police, Bhagalpur.
6. Sri Ramavtar Yadav, The Circle Officer, Kahalgaow, Bhagalpur.
7. Sri Ravindra Kumar Mahto, The Officer-in-Charge, Budhuchak, P.S. Kahalgaow, Bhagalpur.
8. Nawal Yadav, Son of Late Janardhan Yadav resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
9. Naresh Mandal, Son of Late Prasadi Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
10. Suresh Mandal, Son of Late Prasadi Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
11. Babu Lal Mandal, Son of Late Prasadi Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
12. Kare Lal Mandal, Son of Late Prasadi Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
13. Purushottam Gupta, Son of late Bhagwat Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
14. Binay Mandal, Son of Late Kajal Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
15. Mahatma Mandal, Son of Late Kajal Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
16. Vikram Ravidas, Son of Late Malik Harijan resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
17. Pinku Harijan, Son of Late Malik Harijan resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
18. Dharmendra Harijan, Son of Ramdiv Harijan resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
19. Choute Harijan, Son of Ramdiv Harijan resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.



20. Sukumari Devi, D/o Late Ganesh Harijan resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
21. Ramdiv Harijan, Son of Not Known resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
22. Chamak Lal Sharma, Son of Late Bishwanath Sharma resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
23. Murlidhar Poddar, Son of Late Raju Poddar resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
24. Manju Devi, Wife of Satya Narayan Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
25. Kishan Mandal, Son of Bishwapati Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
26. Ashok Gupta, Son of Late Mahendra Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
27. Naresh Gupta, Son of Late Mahadev Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
28. Suresh Gupta, Son of Late Bhagwan Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
29. Shyam Mandal, Son of Late Jagdish Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
30. Bishwanath Mandal, Son of Late Jagdish Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
31. Gazadhar Mandal, Son of Late Jagdish Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
32. Deep Narayan Gupta, Son of Late Jagdish Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
33. Saryug Gupta, Son of Late Jagdish Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
34. Dinesh Gupta, Son of Late Jagdish Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
35. Mahesh Gupta, Son of Late Jagdish Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
36. Raj Kumar Gupta, Son of Late Maya Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
37. Roshan Gupta, Son of Late Pasupati Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
38. Rakesh Gupta, Son of Late Pashupati Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
39. Chandrashekhar Gupta, Son of Late Satya Narayan Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
40. Ashok Kumar Gupta, Son of Satya Narayan Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
41. Ramesh Sah, Son of Late Kanti Sah resident of Village- Barohia, P.O. and



P.S.- Budhuchak, District- Bhagalpur.

42. Pramila Devi, Wife of Late Jagdish Sah resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
43. Arjun Thakur, Son of Late Skhdev Thakur resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
44. Jangali Mandal, Son of Late Doman Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
45. Bashu Mandal, Son of Late Nanku Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
46. Feku Mandal, Son of Late Mohan Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
47. Kamal Tekriwal, Son of Late Ramawatar Tekriwal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
48. Suresh Poddar, Son of Late Doman Poddar resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
49. Om Prakash Poddar, Son of Late Harishankar Poddar resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
50. Gujay Mandal, Son of Late Tale Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
51. Upendra Mandal, Son of Late Laljee Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
52. Sarguji Mandal, Son of Late Laljee Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
53. Wakil Mandal, Son of Mahendra Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
54. Bazo Mandal, Son of Mahendra Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
55. Chhote Lal Mandal, Son of Late Kuldip Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
56. Mahendra Mandal, Son of Late Kuldip Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
57. Kare Lal Mandal, Son of Late Kuldip Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
58. Subodh Mandal, Son of Late Radhe Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
59. Prabhu Mandal, Son of Late Doman Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
60. Bijli Mandal, Son of late Mishi Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
61. Yeshodhan Mandal, Son of Late Chicho Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
62. Hirday Mandal, Son of Late Chicho Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.



63. Bishnu Dayal Singh, Son of Late Bhuneshwar Singh resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
64. Yogendra Gupta, Son of Late Kishan Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
65. Om Prakash Gupta, Son of Late Ayodhaya Prasad Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
66. Dilip Gupta, Son of Late Mahendra Gupta resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
67. Niranjana Kumar Mandal, Son of Barhamdeo Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
68. Sanjay Kumar Mandal, Son of Brahamdeo Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
69. Jai Prakash Mandal, Son of Brahamdeo Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
70. Brahamdeo Mandal, Son of late Jhunnu Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
71. Anirudh Mandal, Son of Late Shivcharan Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
72. Ashok Mandal, Son of Late Shivcharan Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
73. Oopi Mandal, Son of Late Shivcharan Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
74. Sugdeo Mandal, Son of Bhutku Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
75. Ganori Mandal, Son of Bhutku Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
76. Bhutku Mandal, Son of not known resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
77. Damodar Mandal, Son of Late Brahamdeo Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
78. Shyam Sunder Mandal, Son of Late Brahamdeo Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
79. Birendra Mandal, Son of Late Brahamdeo Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
80. Chandrika Mandal, Son of Late Niro Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
81. Thakur Mandal, Son of Late Isho Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
82. Ttiloki Mandal, Son of late Isho Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
83. Shanka Mandal, Son of Late Baldev Mandal resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.

... .. Opposite Party/s



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Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-09-2025 The learned counsel for the opposite parties submits that in compliance of the order of this Court dated 24.09.2019, passed in CWJC No.19829 of 2019, encroachment in question has already been removed, hence present petition has been rendered infructuous.

2. At this juncture, the learned counsel for the petitioner submits that if the encroachment in question has resurfaced, the petitioner be granted liberty to avail such remedies as are otherwise available under the law. Liberty so sought is granted.

3. The petition stands disposed off.

(Mohit Kumar Shah, J)

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