

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18174 of 2024

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Asha Kumari Wife of Janak Kumar Resident of 7, Panditpur Ganjpar, P.O.
and P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, District- Nalanda.
3. The Additional Collector, District- Nalanda.
4. The Sub-Divisional Officer, Rajgir, District- Nalanda.
5. The Circle Officer, Block- Rajgir, District- Nalanda.
6. The Block Development Officer, Rajgir, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh
For the State	:	Mr. Kumar Manish, SC-5
		Mr. Prashant Kumar, AC to SC-5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-10-2025 Heard learned counsel for the parties concerned.

2. Learned counsel for the petitioner submits that encroachment proceeding was initiated by the Circle Officer pertaining to the land situated in Khesra No. 996 admeasuring 53.58 decimal for an area of 33.17 decimal against the petitioner and 13 others. Petitioner claims to have acquired this land by virtue of sale deed and the jamabandi/mutation was created in the name of petitioner and others in the year 2000.

3. The learned Circle Officer has passed the order of removal of encroachment from the subject land dated



13.04.2024 and has also directed not to make any construction upon the encroached land.

4. On the other hand, learned Standing Counsel-5 submits that the petitioner without availing the remedy of appeal under the Bihar Public Land Encroachment Act, has directly filed the writ application. Accordingly, the petitioner may be directed to file an appeal before the Competent Authority.

5. Considering the submissions made by the parties and taking into consideration the nature of prayer made in this writ application, it is disposed with liberty to the petitioner to file an appeal before the learned Collector against the impugned order passed by the Circle Officer dated 06.09.2024 within a period of one month.

6. If such an appeal is filed, the learned Collector shall dispose the same after giving opportunity of hearing to all concerned within a reasonable time frame.

7. Till appeal is disposed by the learned Collector, the status quo existing as of today, shall be maintained.

(Anil Kumar Sinha, J.)

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