

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.270 of 2025**

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Kachahari Pandit S/o- Late Ghurul Pandit R/o Village and P.O.- Rafipur, P.S.-  
Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Revenue and Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Deputy Collector Land Reforms (DCLR), Siwan.
4. The Circle Officer, Anchal- Hasanpura, Siwan.
5. The S.H.O., M.H. Nagar (Hasanpura), Siwan.
6. Dwarika Yadav, Son of Late Hiranman Yadav Resident of Telkathu, P.S.- M.H. Nagar Hasanpura, District- Siwan.
7. Sabha Yadav, Son of Dwarika Yadav Resident of Telkathu, P.S.- M.H. Nagar Hasanpura, District- Siwan.
8. Krishna Yadav, Son of Dwarika Yadav Resident of Telkathu, P.S.- M.H. Nagar Hasanpura, District- Siwan.
9. Kanhaiya Yadav, Son of Dwarika Yadav Resident of Telkathu, P.S.- M.H. Nagar Hasanpura, District- Siwan.
10. Sohan Yadav, Son of Dwarika Yadav Resident of Telkathu, P.S.- M.H. Nagar Hasanpura, District- Siwan.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Akshay Lal Pandit, Advocate  
Mr. Arvind Kumar, Advocate  
Mr. Rajesh Kumar, Advocate

For the Respondent/s : Ms. Binita Singh, SC-28

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

**ORAL JUDGMENT**



**Date : 21-01-2025**

Heard learned counsel for the petitioner and learned counsel for the State.

2. The present Writ Petition has been filed for issuance of writ of mandamus commanding the respondent authorities for removal of encroachment from the purchased land of the petitioner by way of sale deed no. 12470 dated 27.11.2015 and sale deed no. 5979 dated 04.06.2019. The petitioner has also prayed for appropriate direction to the respondent authorities to ensure peaceful physical possession of petitioner over the said land.

2. Learned counsel for the petitioner submits that the petitioner is aged about 60 years and is a senior citizen. He has filed this petition seeking the protection of his life and property from the private respondents (Nos. 6 to 10). It is further submitted that after purchasing the said lands, the petitioner got the lands mutated in the Anchal record of Hasanpur and has been continuously paying land revenue to the Government of Bihar. Subsequently, a Jamabandi was also created in favor of the petitioner. Thereafter, the petitioner began constructing his house and boundary wall on his purchased lands, at which point respondents Nos. 6 to 10 started disputing and encroaching upon a portion of the land. Learned counsel further submits that the



petitioner approached the Circle Officer, Hasanpur, Siwan, who instructed the Anchal Amin to measure the land. The Amin submitted a report dated 28.08.2020, confirming the petitioner as the absolute owner and erected small pillars at the demarcation points in the presence of both the petitioner and the private respondents. Despite this, the private respondents have continued to obstruct the petitioner from constructing his house on the said land, creating further trouble by encroaching upon it. The petitioner feels a continuous threat to his life and property. Therefore, he seeks the indulgence of this Court.

3. Learned counsel for the State submits that the State of Bihar has enacted a special law namely, the Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012. Rule 21 of the said Act specifically categorically indicates the provisions relating to the protection of life and property of senior citizens.

4. Upon hearing the parties and going through the proceedings and provisions of law, it is crystal clear that a special provision has been laid down under Rule 22 of the Rules of 2012 which states as follows :-

22. Action plan for the protection of life and property of Senior Citizens.-

(1) The District Superintendent of Police and in the case of cities having a Police



Commissioner, such Police Commissioner shall take all necessary steps, subject to such guidelines as the Government may issue from time to time for the protection of life and property of senior citizens.

(2) Without prejudice to the generality of sub-rule (1):

(i) each police station shall maintain an up-to-date list of senior citizens living within its jurisdiction, especially those who are living by themselves (i.e. without there being any member in their household who is not a senior citizen);

(ii) a representative of the police station together as far as possible, with a social worker or volunteer, shall visit such senior citizens at regular intervals of at least once a month, and shall, in addition, visit them as quickly as possible on receipt of a request of assistance from them;

(iii) complaints/problems of senior citizens shall be promptly attended to, by the local Police;

(iv) one or more Volunteers' Committee(s) shall be formed for each Police Station which shall ensure regular contact between the senior citizens, especially those living by themselves, on the one hand, and the police and the district administration on the other;

(v) the District Superintendent of Police or, the Police Commissioner as the case may be, shall cause to be publicized widely in the media and through the Police Stations, at regular intervals, the steps being taken for the protection of life and property of senior citizens;

(vi) each Police Station shall maintain a separate Register containing all important particulars relating to offences committed against Senior Citizens as in Annexure IV;

(vii) the Register referred to in clause (vi) shall be kept available for public inspection, and every officer inspecting a Police Station shall invariably review the status as entered in the Register;



(viii) the Police Station shall send a monthly report of such crimes to the District Superintendent of Police by the 10th of every month;

(ix) list of Do's and Don'ts to be followed by senior citizens, in the interest of their safety will be widely publicized;

(x) antecedents of domestic servants and others working for senior citizens shall be promptly verified, on the request of such citizens;

(xi) community policing for the security of senior citizens will be undertaken in conjunction with citizens living in the neighborhood, Residents' Welfare Associations, Youth Volunteers, Non-Government Organizations, etc;

(xii) the District Superintendent of Police shall submit to the Director General of Police and to the District Magistrate, a monthly report by the 20th of every month, about the status of crimes against senior citizens during the previous month, including progress of investigation and prosecution of registered offences, and preventive steps taken during the month, as in Annexure V;

(xiii) the District Magistrate shall cause the report to be placed before the District level Committee constituted under rule 24;

(xiv) The Director General of Police shall cause the reports submitted under clause

(xii) to be compiled, once a quarter, and shall submit them to the Government every quarter as well as every year for, inter-alia, being placed before the State Council of Senior Citizens constituted under rule 23.

5. In the present facts and circumstances, the petitioner is directed to file an application before the Superintendent of Police for protecting his life and property within four weeks from the date of this order whereupon the



Superintendent of Police is expected to do the needful in accordance with the provisions of the Rules of 2012.

6. With the aforesaid direction and observation, the writ petition stands disposed of.

**(Dr. Anshuman, J)**

Ashwini/-

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