

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.937 of 2026

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Mithilesh Kumar Jha @ Mithilesh Jha S/o Chiran Jha, Resident of Village-
Haruswar (Harsuwar), P.S.- Harlakhi, District- Madhubani, at present - G-
1/35 B, Area- 4, Kamaliya, Dhanbad Jharkhand, Pin Code- 828207.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Revenue Department, Bihar, Patna.
2. The Additional Chief Revenue Department, Bihar, Patna.
3. The District Collector, Madhubani.
4. The Circle Officer, Harlakhi, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar Jha
For the Respondent/s	:	Mr. Mujtabul Haque, Government Pleader (12)
		Mr. Pranoy Kumar, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-07-2026 Heard learned counsel for the petitioner and learned
counsel for the Respondent-State.

2. Learned counsel for the petitioner by referring to the order dated 29.12.2025 submits that during pendency of the writ petition, from the counter affidavit so filed by the State, the petitioner has come to know that final order under Section 6(1) of Bihar Public Land Encroachment Act, 1956 (in short, 'the Act, 1956') has been passed by the Circle Officer, Harlakhi, Madhubani. It is the case of the petitioner that the response filed by him appending all revenue records for adjudication of the issues, in compliance of the notice issued to him, have not been properly considered and the petitioner has been declared as



encroacher illegally.

3. Since the copy of the order dated 29.12.2025, was never made available by the Circle Officer, Harlakhi, Madhubani and the alternative remedy as provided under 'the Act, 1956' for preferring an Appeal can be undertaken, which this petitioner proposes to undertake in view of the final order so passed, the petitioner, accordingly, seeks liberty to avail the same.

4. Accordingly, the petitioner is permitted to avail the liberty so sought by filing Appeal before the Collector, Madhubani.

5. The petitioner is directed to file the Appeal within a period of four weeks from today and if such appeal is filed within the stipulated time, the *status quo* shall be maintained till final orders are recorded in Appeal by the appellate authority.

6. The writ petition stands disposed of with the aforesaid observation and direction.

^(Ajit Kumar, J)

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