

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1806 of 2025

=====

Jagarnath Ray Son of Hardayal Ray Resident of Vil -lage-Paithniya, P.S.-
Chakia, District-East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
De -partment, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Dept., Govt. of Bihar,
Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Circle Officer, Chakia, District-East Champaran, Motihari.
5. Sonelal Sahani Son of Bulla Sahani Resident of Village-Paithniya, P.S.-
Chakia, District-East Champaran, Motihari.
6. Krishna Sahani Son of Bulla Sahani Resident of Village-Paithniya, P.S.-
Chakia, District-East Champaran, Motihari.
7. Malakh Sahani Son of Bulla Sahani Resident of Village-Paithniya, P.S.-
Chakia, District-East Champaran, Motihari.
8. Ramesh Sahani Son of Late Lalan Sahani Resident of Village-Paithniya,
P.S.-Chakia, District-East Champaran, Motihari.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Adv.
	:	Ms. Isha Mishra, Adv.
	:	Mr. Sumit Kr. Gupta, Adv.
For the State	:	Smt. Anuradha Singh (SC 21)
	:	Smt. Shatabdi Sinha (AC to SC 21)

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH KUMAR
ORAL ORDER

2 06-07-2026 Heard Sri Sharda Nand Mishra, learned Advocate for
the petitioner and Smt. Shatabdi Sinha, learned AC to SC 21.

2. The petitioner in the present writ application has
prayed for following reliefs :-

*(i) For issuance of writ nature of
mandamus for direction remove the encroachment
bearing Khata No.393, Khesra No. 1771 which is*



Gairmajarua land, encroached by the private respondents, in the result Aam Rasta has been disturbed.

(ii) For further issue direction to respondent to initiate encroachment proceeding for removing encroachment from the Khesra No. 1771 of the Gairmajarua land.

(iii) For further issue direction to respondent to consider the application dated 17.05.2024, 30.12.2024 for removing encroachment.

(iv) For further give other legal consequential benefit of the petitioner.

3. Counter-affidavit on behalf of respondent no. 3 and 4 is on record, copy of which has been served to the petitioner on 25.03.2025. Thereafter no rejoinder has been filed by the petitioner.

4. Paragraph 5 of counter-affidavit is reproduced hereinbelow -

That Encroachment Case No-1009 of 2024-25 has been initiated in the matter concerned. Report from Revenue Karmchari and Anchal Amin were called for. It has been reported that the land bearing Plot No-1771, Khata No-393, Thana No-132 situated under Mauza-Barmadiya, Anchal Chakia is Gairmazarua Aam land in the nature of road. On measurement, it has been found/reported encroached by six persons including respondents no-5 to 8. As such, notices in Form No-I have been issued against the reported encroachers providing opportunity of hearing. The proceeding will be concluded on hearing the reported encroachers in accordance with law. This writ application is liable to be disposed off.

5. In the circumstances, initiation of Encroachment Case No. 1009 of 2024-2025 by the concerned authority and issuance of notices to the encroachers, the present writ application is disposed of with a direction to respondent no.4 i.e.



the Circle Officer Chakia, District- East Champaran, Motihari,
to conclude the encroachment proceeding, if not, within a period
of four weeks from the date of this order.

(Vikash Kumar, J)

Ashwin/-

U			
---	--	--	--

