

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3065 of 2025

Parash Nath Singh Son of Moti Singh, Resident of Village- Daniyalpur Kurai,
P.S.- Mohania, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate Kaimur (Bhabua).
2. The Sub-Divisional Officer, Mohania, District- Kaimur at Bhabua.
3. The Anchal Adhikari, Mohania, District- Kaimur (Bhabua).
4. Aliyar Ram Son of Late Kharpat Ram, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
5. Ramu Ram son of Shree Natha Ram, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
6. Kamta Singh Son of Late Mohan Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
7. Vijay Singh Son of Late Naresha Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
8. Sudarshan Singh Son of Sahadeo Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
9. Lalita Yadav Son of Banshy Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
10. Pramod Singh Yadav Son of Late Bihari Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
11. Ram Lal Singh Son of Basudeo Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
12. Komal Singh son of Jodhan Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
13. Raj Kumar Singh Yadav Son of Late Dudha Natha Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
14. Shankar Ji Mandir father name not known, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
15. Ram Nand Singh Son of Late Shiv Rati Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
16. Johary Singh Son of Late Shiv Rati Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
17. Ram Chandra Yadav Son of Mishry Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
18. Shiv Murat Singh Son of Late Basudeo Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
19. Sachida Nand Singh Son of Late Madan Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
20. Munna Singh Yadav Son of Late Ramadhar Singh, Resident of Village-



Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).

21. Baleshwar Singh Son of Late Ramdhari Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
22. Sanwar Hazam son of Late Tenu Mulla Hazam, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
23. Raju Hussain Son of Late Munywar Hussain, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
24. Sanjay Yadav Son of Late Mahadeo Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
25. Bablu Yadav Son of Late Mushi Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
26. Parash Natha Singh Son of Late Moty Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
27. Rama Kant Yadav Son of Late Bansh Ropan Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
28. Rama Kant Singh Son of Late Bansh Ropan Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
29. Paramhansh Yadav son of Late Moti Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
30. Pradeep Singh son of Late Mahendra Singh, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
31. Ramakant Yadav Son of Late Bansh Ropan Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).
32. Dinesh Yadav son of Rama Kant Yadav, Resident of Village- Daniyalpur Kurai, P.S.- Mohania, District- Kaimur (Bhabua).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh
For the Respondent/s : Mr.Standing Counsel (22)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL JUDGMENT

Date : 06-04-2026

Heard learned counsel for the petitioner and the State.

2 This writ petition has been filed seeking the following
reliefs:

***“i. For a direction to Respondent No 3
for removal of encroachment on Khata No 147,***



Plots No 679, 681, 591, 614 and 641 recorded as Anaband Sarv Sadharan land in Khatiyar and its nature is Rasta, Gali, Chavar, Rasta, Garhi (Jalkar) on which Encroachment Case No 27 of 2022-23 has been initiated by Respondent No 3 who found that these plots have been encroached by the Respondents (Private Respondents).

ii. For issuance of writ or writs in the nature of Mandamus directing Respondent No 3 for vacating the Jalkar (Garhi) in accordance with the direction of Hon'ble High Court dated 21.07.2023 passed in CWJC No 9692 of 2015 (Annexure IV).

iii. For issuance of writ directing Respondent No 3 for demolishing and delivering the possession in favour of Anabad Sarv Sadharan Land.

iv. To grant such other relief to which the petitioner is found entitled to in the facts and circumstances of the case."

3 Learned counsel for the petitioner submits that on the application filed by this petitioner, necessary proceeding under Encroachment Case No 27 of 2022-2023 has been initiated and notices have been issued under Section 3 of the Bihar Public Land Encroachment Act, 1956 (for brevity, ***the Act***).

4 On the other hand, learned counsel for the State submits that since the proceeding under the Act has already been initiated by issuing notices under Section 3 of the Act, the authorities may be directed to conclude the same by fixing a time line.



5 Considering the submission of the parties, this Court finds it appropriate to direct the petitioner to file representation before the District Magistrate, Kaimur (Bhabua) who would appropriately instruct the concerned authority to conclude the encroachment proceeding initiated vide Encroachment Case No 27 of 2022-2023 in accordance with law and final order shall be passed with regard to encroachment by referring to the revenue records and on finding the land to be under encroachment, then by following the provisions under the Statute, the same shall be made encroachment free within the time allowed under the Statute.

6 Accordingly, this writ petition stands disposed of.

(Ajit Kumar, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.04.2026
Transmission Date	NA

