

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4348 of 2025

Ashok Sharma son of Late Kamleshri BL Sharan @ Kamleshwari Sharma,
resident of Rajwada Bhitha Tola (Durgaasthan) Nagar Parishad Bihat, Ward
No. 13, Police Station-Barauni, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Collector, Begusarai.
3. The Sub-Divisional Magistrate, Begusarai.
4. The D.C.L.R., Begusarai.
5. The Circle Officer, Barauni, Begusarai.
6. Amarnath Sharma, son of Late Subalal Sharma, resident of Garhara Tola
(Durgaasthan) Nagar Parishad Bihat, Ward No. 13, Police Station-Barauni,
District-Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Wasi Akhtar, Adv.
For the Respondent/s : Mr. Rajnish Shandilya, AC to GA11

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 13-03-2026 In the instant writ application, the petitioner has
prayed for the following relief:-

*“1(a) To direct the respondent to
remove encroachment over plot No. 958 Khata
No. 321 measuring 4 katha 14 dhur situated
within Rajwada Nagar Parishad, Ward No. 13,
District- Begusarai which is a public land which
has been encroached by Respondent No.5.*

*(b) Whether Respondent nos. 2 to 5
have legal A obligation to remove encroachment*



from the aforesaid land which is public land in accordance with the provisions of section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the Act).”

2. The petitioner is directed to file a fresh representation with regard to the encroachment, in question, giving full details of the persons who have made construction over the land and creating obstruction over the public road by blocking the same.

3. It is expected that once such an application for removal of the encroachment is filed by the petitioner, then the Circle Officer, Barauni, Begusarai will initiate the appropriate proceeding under Section 3 of the Bihar Public Land Encroachment Act, 1956 and, after giving notice to all concerned, necessary orders shall be passed, adjudicating the issues, in question, and once it is found that the land, in question, is a public land and the land, question, has been encroached by the private persons, the same shall be made encroachment free within the time so allowed under the statute.

4. It is expected that the entire exercise shall be carried out and concluded within the time stipulated under the Act from the date of initiation of proceeding under Section 3 of the Bihar Public Land Encroachment Act, 1956.



5. With the aforementioned observation and direction,
the writ petition stands disposed of.

(Ajit Kumar, J)

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