

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5364 of 2025

Yashoda Devi Wife of Vishwanath Sharma, Resident of Village- Kerwa, P.S.-
Isuapur, District- Saran, Bihar 841411.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land Revenue, Government of Bihar, Patna.
3. The Commissioner, Saran Division, Saran at Chhapra.
4. The District Magistrate, Saran, District- Saran at Chhapra.
5. The Senior Superintendent of Police, Saran, District- Saran at Chhapra.
6. Deputy Collector cum Land Reform, Marhaura, District Saran at Chhapra.
7. The Circle Officer, Isuapur, District- Saran at Chhapra.
8. The Station House Officer (SHO), Kerwa Police Station, District- Saran at Chhapra.
9. Sunil Sharma Son of Ram Ayodhya Sharma, Resident of Village- Kerwa, Isuapur, District- Saran at Chhapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : M/s Nouman Ahmad, Kumar Binode Bariar,
Advocates

For the Respondent/s : Mr.Standing Counsel (28)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and the
State.

2 Learned counsel for the State submits that the encroachment proceeding being Encroachment Case No 2 of 2023-2024 has already been initiated and during consideration of the case for encroachment, it transpired to the Circle Officer that over public land, inadvertently, jamabandi has been created for which appropriate proceedings would be required to be drawn by the Additional Collector for cancellation of the same.

3 The Circle Officer is directed to take necessary



steps for carrying out the necessary formalities at the level of statutory authority being the Additional Collector. It is made clear that the Circle Officer will give description of entire land which is under encroachment as per the determination made with regard to the land in question being public land. The necessary formalities for issuance of appropriate notices shall be carried out by the Additional Collector and within the stipulated period/reasonable time, the said proceeding of Jamabandi cancellation shall be concluded and necessary decision shall be taken and the same shall be communicated to the Circle Officer, Isuapur. On receipt of such decision taken by the Additional Collector, further proceeding shall be initiated from the stage of Section 3 of the Bihar Public Land Encroachment Act, in accordance with law. The entire process shall be concluded within a period of three months and necessary decision shall be taken and once such land is found to be under encroachment then the same be made encroachment free.

4 Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

M.E.H./-

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