

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4349 of 2025

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Veena Kumari Wife of Mantun Mahto Resident of Village- Kharmauli, Police Station-Birpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate, Begusarai.
3. The Sub Divisional Magistrate, Begusarai Town Begusarai.
4. The Deputy Collector, Land Reforms, Begusarai Town Begusarai.
5. The Circle Officer, Birpur, District-Begusarai.
6. Bindeshwari Mahto Son of Ram Ratan Mahto Resident of Village-Kharmauli, Police Station-Birpur, District-Begusarai.
7. Ram Vinay Kumar Son of Ram Ratan Mahto Resident of Village-Kharmauli, Police Station-Birpur, District-Begusarai.
8. Ram Ishwar Mahto Son of Ram Ratan Mahto Resident of Village-Kharmauli, Police Station-Birpur, District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar Jha
For the Respondent/s : Mr.Standing Counsel (10)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-07-2026 Heard learned counsel for the parties.

2. The instant writ application has been filed for the following relief:

1. That this writ application in the nature of Mandamus is being filed for issuance a direction to the respondent no. 5, the Circle Officer, Birpur, District- Begusarai, who has not initiated a proceeding under section 3 of the Bihar Public Land Encroachment Act, 1956, for removal of the Encroachment over the public land of Bandh -Cum-



Road near the residential house of the petitioner for unobstructed link in between the house of the petitioner to the Govt. Bandh -Cum- Road which has purposefully been encroached upon only to disturb the connectivity of the petitioner to the Bandh -Cum- Road.

This writ application is being filed for directing the respondent no. 5 to dispose of the representation of the petitioner dated 30.12.2024 and 14.02.2025 in accordance with the provision of the Bihar Public Land Encroachment Act, 1956.

This writ application is also being filed for other reliefs for which the petitioner found entitled.

3. In view of the aforesaid prayer of the petitioner, the petitioner is directed to file a fresh representation with regard to the encroachment, in question, giving full details of the persons, who are constructing house over the public land by which the house of the petitioner has been disconnected from the road.

4. It is expected that once such an application for removal of the encroachment is filed by the petitioner, then the Circle Officer, Birpur, Begusarai (Respondent No.5) will initiate the appropriate proceeding under Section 3 of the Bihar Public Land Encroachment Act, 1956 (in short, 'Act, 1956') and, after giving notice to all concerned, necessary orders shall be passed by resorting to the procedure as provided under Section 5 and 6



of the Act, 1956, adjudicating the issues, in question, and once it is found that the land, in question, is a public land and the same has been encroached by the private persons, the same shall be made encroachment free within the period of three months from the date of filing of the application by the petitioner.

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

6. With the aforesaid observation and direction, the writ petition stands disposed of.

(Ajit Kumar, J)

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