

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4930 of 2026

Nagendra Ram Son of Late Yamuna Ram, resident of Village-Shripur Uttari Tola, Bishunpur, Ward No. 08, Police Station-Sugauli, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land reforms department Government of Bihar, Patna.
2. The District Magistrate cum collector, Motihari, East champaran.
3. The Superintendent of police, Motihari, East champaran.
4. The Sub Divisional Public grievance redressal officer, Motihari Sadar, East champaran.
5. The Block Development officer, Block Sugauli, District - East Champaran.
6. The Circle officer, Sugauli Block, District- East Champaran.
7. The officer in charge, Sugauli Police station, District- East Champaran.
8. Kishun Ram, Son of Sukar Ram, resident of village- Shripur Uttari Tola, Bishunpur, ward No.08, Police Station- Sugauli, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Adv.
For the Respondent/s : Mr.Standing Counsel (22)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*(i) For issuance of appropriate writ/writs,
order/orders for directing the respondent No.6 to
conclude the proceeding of encroachment case
No.04/2024-25 within a stipulated period of time
and take the same to a logical conclusion.*

(ii) For issuance of appropriate writ/writs,



order/orders to direct and command the concern respondent authority to remove the encroachment from the Gairmajarua Aam Land appertaining to Mauza- Shripur, Thana No.41 Khata No.693 Khesra -No.842,Area- 01 Decimal located in village - Shripur Uttari Tola ,Bishunpur, ward No.08, Police Station- Sugauli, District- East Champaran illegally encroached by respondent No.8

(iii) To grant any other relief or reliefs to the petitioner for which he is found to be entitled in the facts and circumstance of the case.”

3. Learned counsel for the petitioner submits that on the application made by the petitioner, Encroachment Case No. 04/2024-25 has been initiated under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to the ‘Act of 1956’) after declaring the land to be public land and thereafter notices under Section-3 of the Act of 1956, has also been issued but, till date, for no prudent reason, the further proceedings have not been concluded by passing final order in the aforementioned Encroachment Case.

4. On the other hand, learned counsel for the State submits that since proceedings have already been initiated on the basis of application filed by the petitioner and as such the authorities may be directed to conclude the same, as notices to



all concerned under Section 3 of the Bihar Public Land Encroachment Act, 1956, have already been issued by taking final decision after concluding the hearing as stipulated under Section 5 of the Act, 1956.

5. Considering the submission of the parties, this Court finds it appropriate to direct the District Magistrate-cum-Collector, Motihari, East Champaran, to issue necessary direction upon the concerned authorities for initiating 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 raised by the petitioner, and to take a final decision in the matter and in case, the land in question is found to be a public land under encroachment, the same shall be made encroachment free within the time so allowed under the statute.

6. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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