

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6114 of 2026

Mohammad Shahid Wasi, Son of Wasi Ahamad, Resident of Village -
Surjapur, P.S. - Pratapgunj, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Home Department, Bihar, Patna.
3. The Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
4. The Collector-Cum-District Magistrate, Supaul.
5. The Superintendent of Police, District- Supaul.
6. The Additional Collector, Supaul.
7. The Deputy Collector Land Reforms, Birpur (Supaul).
8. The Sub Divisional Officer - Cum- Sub Divisional Magistrate, Birpur, District- Supaul.
9. The Circle Officer, Pratapgunj, District- Supaul.
10. The S.H.O. Pratapgunj, District- Supaul.
11. Yaqoob Hasan Son of late Saiyad Mohammad Mujtaba Hasan, Resident of Village - Surjapur, P.S. - Pratapgunj, District- Supaul.
12. Khurshid Hasan Son of late Saiyad Mohammad Mujtaba hasan, Resident of Village - Surjapur, P.S. - Pratapgunj, District- Supaul.
13. Muzaffar Hasan Son of late Saiyad Mohammad Mujtaba Hasan, Resident of Village - Surjapur, P.S. - Pratapgunj, District- Supaul.
14. Zafar Hasan Son of late Saiyad Mohammad Mujtaba Hasan, Resident of Village - Surjapur, P.S. - Pratapgunj, District- Supaul.
15. Manaur Hasan Son of late Saiyad Mohammad Mujtaba Hasan, Resident of Village - Surjapur, P.S. - Pratapgunj, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Hussamuddin Azad, Adv.
For the State	:	Mr. Sita Ram Yadav, GP-16
		Mr. Jitendra Kumar, AC to GP-16

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-05-2026

Heard learned counsel for the parties.

2. This writ application has been filed for the
following reliefs:-

(i). For issuance of writ in the nature of



mandamus and direction to the respondent authorities to remove the encroachment from the land of the petitioner from the encroacher i.e. respondents no. 11 to 15 within one month. If the police force is required to remove the encroachment from the land of the petitioner, at Mauza- Surjapur, Anchal-Pratapganj, District-Supaul, bearing Khata No.-18, Khesra No.-950, 951 and Khata No.- 99, Khesra No.- 949 area 11 Kattha 2 Dhoor, then a direction may be given to the District Magistrate, Supaul for the said purpose. As, the District Magistrate, Supaul has not taken any action to remove the encroachment from the land of the petitioner after demarcation by the Anchal Amin, Pratapganj as yet, which causes hindrance in progress work of the Madarsa Talimul Islam Surjapur on the said land of the petitioner, in this way the petitioner, who is the Secretary of the said Madarsa, is facing huge problem to impart the education of the said Madarsa students.

(ii). For issuance of a direction commanding the respondents to remove the encroachment from the land of the petitioner, which has been encroached by the respondents no. 11 to 15, who are associated with the local musclemen, outsider miscreants, criminals, anti social elements and unnecessarily torture and disturbs the petitioner and ready to take over the land of the petitioner and are also preparing conspiracy to harm and assault the petitioner.



3. It is apparent from the record that the petitioner has filed application for measurement of 41.5 decimals land mentioned in Annexure-6 *vide* Anchal Amin's report. As per his application, the land was measured and report by Anchal Amin was submitted before the Circle Officer, Pratapganj reporting that *pucca* houses of three persons is constructed over 18.5 decimals land in question and only 22 decimals land is *parti* land.

4. The present writ application has been filed for removing the house of private respondent nos. 11 to 15 and for direction to the Collector, Supaul for removal of the encroachment made by the private respondents. It is apparent from the records that the dispute is out rightly a civil dispute and which could be resolved by a competent court of civil jurisdiction.

5. Accordingly, this writ application is disposed of with the aforesaid observations.

(Khatim Reza, J)

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