IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6113 of 2026

CNR No. BRHC010333262026

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1. Munna Hussain Son of Adam Hussain, Resident of Village Raipatti, Dighwara, Police Station Dighwara, District Saran.
2. Pappu Hussain, Son of Adam Hussain, Resident of Village Raipatti, Dighwara, Police Station Dighwara, District Saran.
3. Juvaid Alam @ Javed Alam, Son of Adam Hussain, Resident of Village Raipatti, Dighwara, Police Station Dighwara, District Saran.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Deputy Magistrate-cum-Collector, District Saran at Chapra.
4. The Deputy Collector Land Reform, Sadar Saran at Chapra.
5. The Circle Officer, Dighwara, District Saran at Chapra.
6. Md. Mansur Alam, S/o Late Md. Samsuddin, R/o Village Ward no 10, PO and PS Dighwara, District Saran.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Ashad
For the Respondent/s : Mr.Standing Counsel (01)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioners and learned counsel for the State.

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

(i) For issuance of appropriate order/s & direction/s especially in nature of Certiorari/Mandamus for quashing the impugned notice dated 14-03-2026 Passed by Circle Officer Dighwara, for given reason that why not removal the land in respect plot no 466 Respectively, Village Raipatti Thana No. 142 which is not in accordance with law because petitioners got land

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in question from their ancestors.

ii) For issuance of appropriate order/s direction/s to the respondent/s concern that verify the documents of petitioners regarding land in question which mentioned in impugned notice dated 14-03-2026 passed by Circle Officer Dighwara, Saran, because land in question got petitioners by their ancestors and got possession from about 55 years ago.

iii) For issuance of any appropriate relief/s, direction/s to as your lordship may deem fit and proper to the facts and circumstance of the case as well as for the petitioner may be found entitled thereto.

iv) During the pendency of writ application operating of impugned notice dated 14-03-2026 Passed by Circle Officer Dighwara, Saran May kindly is stayed.

3. Learned counsel for the petitioner apprises this Court that Form I notice under Section 3 of the Bihar Public Land Encroachment Act, 1956, has been issued and proposes to file his response.

4. It is made clear that the Circle Officer, Dighwara, Saran at Chapra, shall afford the petitioners an adequate opportunity of hearing in accordance with law. The order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, shall be passed only after affording the petitioners and all other persons concerned with the land alleged to have been encroached upon an opportunity of hearing, in accordance with Section 5 of the said Act, after seeking their responses in terms of Section 4 of the said Act.

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5. So long the matter is pending, no coercive steps shall be taken against these petitioners in the present case.

6. With the aforesaid observations / directions, the writ petition stands disposed of.

(Ajit Kumar, J)

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