

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7219 of 2025

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1. Sant Vilash Pandit Son of Late Sita Ram Pandit, Resident of Village- Panditpur, Police Station- Buxar (M), District- Buxar.
 2. Lakhan Pandit, Son of Janardan Pandit, Resident of Village- Panditpur, Police Station- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector, Buxar.
3. The Superintendent of Police, Buxar.
4. The Sub Divisional Magistrate, Buxar.
5. The Circle Officer, Buxar.
6. The S.H.O., (Muffasil) Police Station, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Respondent/s : Mr.Standing Counsel (23)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 23-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

(i) A writ in the nature of certiorari or any other appropriate writ/order or direction directing the Respondents to remove the encroachment from the Public Land bearing Khata No. 101/120, Plot No. 744, 743, 746, 748, 749, 756, 740, 741 and 742, Chak Plot No. 77, Area 95 Decimals situated in Mauza- Panditpur, Anchal- Buxar, District- Buxar.

(ii) A writ in the nature of mandamus or any



other appropriate writ/order or direction directing the Respondents to protect the Public Land bearing Chak Plot No.77, Area 95 decimals, situated in Village- Panditpur, Anchal- Buxar, District-Buxar, which is selected and marked for School village development and Play ground, which is mentioned in Khatiyā as “Anabad Sarvasadharan Land”.

(iii) Any other appropriate writ/order or direction which your Lordships may deem fit and proper.

3. Learned counsel for the petitioner submits that on the application filed by this petitioner, the necessary proceeding under Encroachment Case No.02/2025-26 has been initiated and notices have been issued under Section 3 of the Bihar Public Land Encroachment Act, 1956 (for brevity ‘Act of 1956’)

4. On the other hand, learned counsel for the State submits that since the proceeding under the Act of 1956 has already been initiated by issuing notices under Section 3 of the Act of 1956 and as such, the authorities may be directed to conclude the same by fixing a time line.

5. Considering the submission of the parties, this Court finds it appropriate to direct the petitioner to file representation before the District Magistrate, Buxar, who would appropriately instruct the concerned authority to conclude the encroachment proceeding initiated vide Encroachment Case No.02/2025-26, in accordance with law and final order shall be



passed with regard to Encroachment by referring to the revenue records and on finding the land to be under encroachment, then by following the provisions under the statute, the same shall be made encroachment free within the time allowed under the statute.

6. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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