

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8029 of 2025

Md. Razik Raeen Son of Late Abdul Samad, Resident of village - Belhariya,
Post and Police Station- Tikari, District- Gaya, (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar Principal Secretary Department of Revenue and Land Reform, Bihar, Patna.
2. The Secretary, Department of Revenue and Land Reform, Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate -Cum- Collector, Gaya.
5. The Additional Collector, Gaya.
6. The Sub-Divisional Officer, Tikari, Gaya.
7. The Circle Officer, Tikari, Gaya.
8. Md. Azhar Raza, Son of Sanaullah Ansari, Resident of village- Belhariya, Post and Police Station- Tekari, District- Gaya (Bihar).
9. Sanket Kumar, Son of Sanjay Kumar, R/o- Vill.- Belhariya, P.O. and P.S.- Tekari, Dist.- Gaya (Bihar).
10. Kamlesh Yadav, Son of Late Jaynandan Yadav R/o- Vill.- Belhariya, P.O. and P.S.- Tekari, Dist.- Gaya (Bihar).
11. Pradeep Kumar, Son Late Ramchandra Yadav R/o- Vill.- Belhariya, P.O. and P.S.- Tekari, Dist.- Gaya (Bihar).
12. Inardev Yadav, Son of Late Rohan Yadav R/o- Vill.- Belhariya, P.O. and P.S.- Tekari, Dist.- Gaya (Bihar).
13. Md. Sahid, Son of Late Md. Jakariya R/o- Vill.- Belhariya, P.O. and P.S.- Tekari, Dist.- Gaya (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Respondent/s : Mr. Standing Counsel (28)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-07-2026 Heard learned counsel for the petitioner and learned
counsel for the Respondent-State.

2. The instant writ application has been filed for the
following relief(s):-



(i) For issuance of appropriate writ(s), order(s), direction(s) in the nature of mandamus, for removing the encroachment from public land (Road) situated under Revenue Thana Tikari, Mauja - Belhadiya, Thana No. 158, Khata No. 268, Khesra No. 294. Total Area 60 decimal, because the said land is in nature of Aam Rasta - Road and belongs to the Bihar Sarkar, which has been encroached by the Respondent 2nd Set.

(ii) For issuance of appropriate Writ/s, Order/s, Direction/s to the Respondent No. 7, especially to remove the encroachment encroached by Respondent 2nd Set but the Respondent No. 7 not remove and the circle office is working for the interest of Respondent 2nd Set.

(iii) To direct the official respondents to re-measure the land as encroached by the Respondent 2nd Sect because they have encroached excess land which is not comes into the respondent of Anchal Amin.

(iv) For issuance of appropriate Writ/s, Order/s, Direction/s to the Respondent to remove the encroachment so that the public at large of village Belhadiya, may pass through the road free from hindrances.

(v) To pass such other order/s as your lordship may deem fit and proper in the fact and circumstances of this case.

3. The petitioner is directed to file a fresh representation with regard to the encroachment, in question, giving full details of the persons who have made construction over the land and creating obstruction over the public road by



blocking the same.

4. It is expected that once such an application for removal of the encroachment is filed by the petitioner, then the Circle Officer, Tikari, Gaya, 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, 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 time so allowed under the statute.

5. It is expected that the entire exercise shall be carried out and final order shall be passed after giving hearing to all concern and passing appropriate order in reference to the revenue records maintained in the district offices as per the provisions of the Act 1956.

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

(Ajit Kumar, J)

rajan/-

U			
---	--	--	--

