

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7840 of 2026

1. Vijay Yadav son of Yamuna Yadav @ Yamuna Gope, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
2. Harelal Yadav, son of Yamuna Yadav @ Yamuna Gope, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
3. Ajay Yadav, son of Yamuna Yadav @ Yamuna Gope, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
4. Sanjay Yadav, son of Yamuna Yadav @ Yamuna Gope, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
5. Kabilas Yadav, Yamuna Yadav Yamuna Gope, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
6. Ramnivas Yadav, son of Kameshwar Yadav, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
7. Suryadev Yadav, son of Kameshwar Yadav, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
8. Bindeshwar Yadav @ Bindeshwar Singh, son of Kameshwar Yadav, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
9. Shanti Devi, Wife of Rajendra Yadav, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
10. Shanti Devi, Wife of Ram Nivash Yadav, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).
11. Uma Devi, Wife of Suryadev Yadav, resident of Village - Rampur Nagawan, P. S.-Paliganj, Circle Paliganj, District Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Revenue Department, Govt. of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The Collector, District - Patna.
5. The Deputy Collector, Land Reforms, Paliganj, Patna.
6. The Sub - Divisional Officer, Paliganj, Patna.
7. The Sub- Division Police Officer, Paliganj, Patna.
8. The Circle Officer, Circle-Paliganj, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar



For the Respondent/s : Standing Counsel (21)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-05-2026 Heard learned counsel for the petitioners and
learned counsel for the respondents.

2. The instant writ application has been filed seeking restraint upon the respondents from demolishing the house of the petitioners, for which the Circle Officer, Paliganj, Patna issued letter dated 09.05.2026 (Annexure-P/6 series). It is submitted that the land in question is raiyati land standing in the name of the ancestors of the petitioners, situated at Mauza–Rampur Nagwan, Thana No. 352, Tauzi No. 14579, Khata Nos. 438 and 467, Khesra No. 208, Jamabandi No. 743, having an area of 4.15 decimals, and that the action has been initiated without following the provisions of the Land Acquisition Act and without proper consideration of the relevant documents.

3. The respondent-State is directed to instruct the Circle Officer, Paliganj, Patna to provide the decision taken under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 to enable the petitioners to file an encroachment appeal before the Collector, Patna in accordance with the provisions of the Land Acquisition Act.

4. It is made clear that once such appeal is filed within



a period of two weeks from today, status quo shall be maintained till adjudication of the said appeal and and further action shall be taken in terms of the order passed in the encroachment appeal.

5. With the aforesaid observations and directions, the writ application stands disposed.

(Ajit Kumar, J)

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