

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7842 of 2026

1. Surendra Kumar Son of Damodar Yadav, Resident of Village- Rampur Nagawan, P.S.- Paliganj, Circle- Paliganj, District- Patna (Bihar).
2. Saheb Yadav, Son of Vasdeo Yadav, Resident of Village- Rampur Nagawan, P.S.- Paliganj, Circle- Paliganj, District- Patna (Bihar).
3. Mahesh Yadav, Son of Late Bachu Yadav, Resident of Village- Rampur Nagawan, P.S.- Paliganj, Circle- Paliganj, District- Patna (Bihar).
4. Madhav Yadav, Son of Late Bachu Yadav, Resident of Village- Rampur Nagawan, P.S.- Paliganj, Circle- Paliganj, District- Patna (Bihar).
5. Subodh Kumar, Son of Suresh Yadav, Resident of Village- Rampur Nagawan, P.S.- Paliganj, Circle- Paliganj, District- Patna (Bihar).
6. Ram Badan Yadav, Son of Brija 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 : Mr.Standing Counsel (12)

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/8 series). 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 No. 438, Khesra Nos. 208 and 743, 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 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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