

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8391 of 2026

=====

Arun Kumar Singh, Son of Late Surendra Singh, Resident of Mohalla Digha,
P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Patna.
5. The Commissioner, Patna Municipal Corporation, Patna.
6. The Addl. Collector, Patna.
7. The Sub Divisional Officer, Patna Sadar, Patna.
8. The Circle Officer, Patna Sadar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh, Advocate
For the Respondent/s : Mr. Government Pleader (05)

=====

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 26-05-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

(i). For commanding and directing the respondents, to stop any coercive action against the petitioner during pendency of Encroachment Case No. 06/2025-26, pending before Circle Officer, Patna Sadar.

(ii). For commanding and directing the respondents to pass reasonable and speaking order in Encroachment Case No. 06/2025-26, after duly hearing the petitioner and the documents filed by him before Circle Officer, Patna Sadar.

(iii). For directing the respondents, to maintain status quo till final disposal of Encroachment Case No. 06/2025-26, initiated by Circle Officer, Patna Sadar against



the petitioner and Ors.

(iv). For further directing the respondents to follow the guideline issued by this Hon'ble High Court In C.W.J.C. No. 3907/1988 (Ram Babu Rai vs. The State of Bihar & Ors.) to the State Government, for filing civil suit in respect of the land occupied by the petitioner and Ors.

(v). For further directing Circle Officer, Patna Sadar to follow the order dt. 19.02.2022 passed by it in Encroachment Case No. 36/2021-22, in respect of petitioner and ors.

(vi). For holding that, without considering the documents filed by the petitioner, no coercive action should be taken by the respondents.

(vii). For any other relief(s) for which petitioner is found entitled in the eye of law.”

3. Learned counsel for the petitioner by referring Annexure-P-5 submits that notices under Section 3 of the Bihar Public Land Encroachment Act, 1956, has been issued and appropriate response by Annexure-P-6 have already been placed for consideration. It has next been submitted that without passing final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, the respondents may be restrained from taking any coercive measures against this petitioner.

4. On the other hand, Mr. Iqbal Asif Niazi, learned AC to GP-5 appears and submits that there is no question of the Authorities proceeding with any coercive measures against this petitioner without bringing the Encroachment Case No. 36/2021-22 to finality. It has further been submitted that the time frame may be issued by this Court for bringing finality to the encroachment proceedings initiated against the petitioner



and, thereafter, upon the conclusion of the final proceeding, the Authorities may be put at liberty to act according to the nature of the order passed in Encroachment Case No. 36/2021-22.

5. Considering the submissions of the parties, this Court finds it appropriate to direct the Circle Officer, Patna Sadar to take a final decision in the Encroachment Case No. 36/2021-22, and as also considering the stand taken by the petitioner and once such final orders are passed in said case, the copy of the same be handed over to the petitioner for taking appropriate action in accordance with law.

6. Needless to say that after the final order is passed in the aforesaid encroachment case, the Authorities will be at liberty to proceed in accordance with law.

7. Accordingly, the writ application stands disposed with the aforesaid observations and directions.

(Ajit Kumar, J)

khushbu/-

U			
---	--	--	--

