

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9689 of 2026

1. Shishir Kumar Jha Son of Late Narayan Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
2. Nishi Jha @ Nishi Kumar Jha Son of Late Narayan Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
3. Sanjay Jha @ Sanjay Kumar Son of Late Narayan Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
4. Diwakar Jha Son of late Narayan Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
5. Mirtunjay Jha Son of late Narayan Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
6. Gopal Jha Son of Late Manindra Nath Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
7. Sansar Jha Son of Late Manindra Nath Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
8. Govind Jha Son of Late Manindra Nath Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.
9. Kush Jha Son of late Manindra Nath Jha, Resident of Village - Jhikta, P.S. - Rajaun, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate Banka, District Banka.
3. The Superintendent of Police Banka, District Banka.
4. The S.D.O. Banka, District - Banka.
5. The Circle Officer, Rajaun, District Banka.
6. The Officer in Charge, P.S. Rajaun, District- Banka.
7. Mrs. Kalyani Devi Wife of Anil Kumar Jha, Resident of Village Jhikta, P.S. Rajaun, District Banka.
8. Love Jha S/o Late Manindra Nath Jha, Resident of Village Jhikta, P.S. Rajaun, District- Banka.
9. Anil Kumar Jha S/o Late Ghanshyam Jha, Resident of Village Jhikta, P.S. Rajaun, District- Banka.
10. Vijay Kumar Jha S/o late Ghanshyam Jha, Resident of Village Jhikta, P.S. Rajaun, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
For the Respondent/s	:	Mr. K.P. Gupta, GP-10
		Mr. Satya Vrat, AC to GP-10



CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-07-2026 Heard the parties.

2. The present petition has been preferred for the following relief(s):

“(I) For issuance of an appropriate writ in the nature of MANDAMUS Commanding and directing the respondent authorities to not take any adverse action against the petitioners disturbing their physical possession over the land situated in Mauza Jhikta Thana No. 556 appertaining to Khata No. 140, Khesra No. 111 upon the measurement report submitted by the Anchal Amin who has not make measurement on fled date fixed by the respondent circle Officer and/ or prepared a measurement report back behind the petitioners

(II) For issuance of appropriate writ in the nature of MANDAMUS Commanding and directing the respondent authority to restrain the respondent circle officer to take any action against the petitioners over the application filed by the private respondent No. 7 because if any action would be taken by respondent circle officer it



would be without jurisdiction Under Land Reforms Act 2009.

(III) Further for direction to the respondent authorities to not disturb the physical possession of petitioners who are residing after constructing over Khata No. 140 Khesra N. 111 area 4 decimal their packa building situated in Mauja Jhakta Thana No. 556 since last more than 100 years and/ or since life time of their 5th fore fathers”

(IV) Further for issuance of any other writ/writs, order/ orders, direction/ directions for which petitioner shall be found entitled under the fact and circumstances as stated herein below for equitable justice.”

3. Learned State counsel submits that only a notice vide land encroachment case no. 08 of 2025-26 has been issued which has been challenged before this Court.

4. Learned counsel for the petitioners submit that appropriate reply has been filed but the Circle Officer, Rajaun, Banka is acting in a haste.

5. Learned State counsel submits that only after an



order is passed in accordance with law, further steps shall be taken in the matter.

6. Accepting the words of the learned State counsel and expecting that the Circle Officer, Rajaun, Banka shall be disposing the Encroachment Case No. 08 of 2025-26, in accordance with law, after hearing all the parties, and only thereafter, can act in the matter, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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