

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10613 of 2025

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Yogendra Prasad S/o Bhuneshwar Yadav Resident of Village - Mahadev
Bigha, P.S. - Barabar Paryatak, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector Cum District Magistrate,
Jehanabad.
2. The Circle Officer, Makhdumpur.
3. The Anchal Amin, Makhdumpur.
4. Kishori Yadav S/o Late Chardeep Yadav Resident of Village - Mahadev
Bigha, P.S. - Barabar Paryatak, District - Jehanabad.
5. Vinod Yadav S/o Late Mukholee Yadav Resident of Village - Mahadev
Bigha, P.S. - Barabar Paryatak, District - Jehanabad.
6. Nandu Yadav S/o Late Nannu Yadav Resident of Village - Mahadev Bigha,
P.S. - Barabar Paryatak, District - Jehanabad.
7. Kapil Yadav S/o Late Sehdev Yadav Resident of Village - Mahadev Bigha,
P.S. - Barabar Paryatak, District - Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar, Adv. Mr. Shubhankar Raj, Adv. Mr. Amartya Raj, Adv.
For the Respondent/s	:	Mr. Government Pleader (22) Mr. K.K. Singh, AC to GP22

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-07-2026 Heard learned counsel for the petitioner and learned
counsel for the respondent.

2. The instant writ petition has been filed for issuance
of direction(s), order(s) or writs for granting the following
relief(s) :-

*(i) For issuance of writ in the
nature of mandamus or any other
appropriate writ for commanding the
respondents to remove the encroachment*



from the Gairmazarua Malik (Parti Kadim) land pertaining to Khata No.553, Plot No.3478, total area about 14 decimal situated in Mauza Bhaikh, Thana No.653, Anchal-Makhdumpur, District-Jehanabad.

(ii) For issuance of any other appropriate writ, order(s) or direction(s) which your Lordships may deem fit and proper in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the land pertaining to Plot No.3478 Khata No. 553, Thana No.653 Anchal- Makhdumpur land, is a Gairmazarua Malik, which the revenue authorities have also declared the land to be public land and for the removal of the encroachment, the petitioner has already filed an application before Circle Officer, Makhdumpur, Jehanabad on 25.02.2025, which has not been concluded.

4. On the other hand, learned counsel appearing for the State submits that proceedings have already been initiated in the matter. It is submitted that, pursuant to the petition filed by the petitioner, the Circle Officer, Makhdumpur, Jehanabad, issued a notice for measurement of the land in question. Upon receipt of the measurement report, the alleged encroachers were directed to appear before the Janta Darbar at the concerned Police Station. It is, therefore, submitted that appropriate directions may be issued to the Circle Officer to conclude the



proceedings in accordance with law.

5. Considering the stand of the parties, petitioner is directed to make a fresh representation along with the copy of this order to the Circle Officer, Makhdumpur, Jehanabad, within a period of three weeks from today. Once, such application is filed, it is made clear that Circle Officer shall take steps to conclude the encroachment proceeding after giving due hearing to all concerned and seeking response of the alleged encroachers, final order shall be passed in reference to the revenue records maintained in the office. Once, it is found that the land in question is public land, as defined under Section 3 of the Act, 1956, and that it is under encroachment, the same shall be made encroachment-free within the statutory period prescribed under the Act.

6. With the aforesaid observations and directions, the instant writ petition stands disposed of.

(Ajit Kumar, J)

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