IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11693 of 2024

CNR No. BRHC010767732024

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Raj Kishore Thakur S/o Bidhanath Thakur, Resident of Village- Nandani, P.S.- Mohiddinnagar, District- Samastipur.

... ... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reform Department, Govt. of Bihar.
2. The District Magistrate, Samastipur.
3. The S.D.O., Dalsinghsarai, Samastipur.
4. The D.C.L.R. Dalsinghsarai.
5. The Circle Officer Pattori, Dalsinghsarai, Samastipur.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Bindeswari Singh, Advocate
For the State : Mr. Mithilesh Kumar Singh, A.C. to S.C.17

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

4 29-10-2026 Heard learned counsel for the petitioner and the learned counsel for the State.

2. In the instant writ petition, the petitioner has prayed for the following relief:

> *(i) For issuance of an appropriate writ/ Order or direction for cancellation of letter no. 1241 dated 30-09-2021 of respondent no. 5 in which proposed construction of community Hall (Mahadalit) illegally constructed on of public land which is for used way from 100 of years and also private land connected of this*

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petitioner purchased in 1971.

(ii) For issuance of an appropriate writ/ order or direction to respondent no. 2 to remove the encroachment from Public land used as way to ingressor regress u/s 3 and 6 of Bihar Public land encroachment Act, 1956 immediately.

(iii) For issuance of an appropriate writ/ order or direction to shift the venue of construction of Mahdalit community Hall from so many vacant land of Respondents.

(iv) For issuance of an appropriate writ/ order or direction to the respondent as required at the time of hearing and other relief sought for judicature.

3. At the outset, the learned counsel for the petitioner submits that the petitioner is aggrieved solely by the action of the authorities concerned in constructing the Mahadalit Community Hall on public land adjacent to the petitioner's land which affects the petitioner's right of ingress and egress.

4. Per contra, learned counsel for the State submits that the land in question is public land and the State has taken positive steps to construct a Community Hall for the welfare of underprivileged Mahadalits over the land in question.

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5. Having heard the parties and taking into consideration the fact that the matter pertains to public policy and the construction is being carried out on government land, and there is no dispute regarding this fact, this Court is not inclined to interfere with the project. However, proper demarcation is necessary to ensure that the petitioner's private land is clearly segregated from the public land.

6. In view of the above, the instant writ petition is disposed of with a direction to the Circle Officer concerned to conduct a proper demarcation of the land in question, after giving adequate opportunity of hearing to the petitioner, as expeditiously as possible, in accordance with law.

(Alok Kumar, J)

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