

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13812 of 2025

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1. Binod Kumar Singh Son of Shankar Singh, resident of vilage Jagdishpur Anchal- Nagra, P.O. Sadhpur, District- Saran.
 2. Sahabir Rai, Son of Late Khekhar Rai, resident of vilage Jagdishpur Anchal- Nagra, P.O. Sadhpur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
3. The Collector, Saran.
4. The Circle Officer, Nagra Anchal, Nagra, District- Saran.
5. Lalmohan Rai @ Saheb Rai, S/o Late Harihar Rai, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
6. Banaras Prasad, S/o Bachan Prasad, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
7. Tribhuvan Rai, S/o Late Sahdev Rai, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
8. Raja Ram Rai, S/o Late Sahdev Rai, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
9. Gopal Prasad, S/o Late Kanhaiya Prasad, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
10. Shivnath Rai, S/o Late Baldev Rai, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
11. Madan Rai, S/o Late Baldev Rai, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
12. Ramchandra Rai, S/o Late Baldev Rai, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.
13. Vishwanath Rai, S/o Late Baldev Rai, Resident of village- Jagdishpur, Anchal- Nagra, P.O. Sadhpur, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Koshalendra Rai
For the Respondent/s : Government Pleader 11

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 31-07-2026

Heard learned counsel for the petitioners and



learned counsel for the State.

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

- (i) To direct the respondents to remove the encroachment on public land bearing Khata No.117, Khesra No.363, Thana No.409 in Village-Jagdishpur, Anchal- Nagra, Distrcit- Saran within the time schedule as may be fixed by this Court.*
- (ii) Directing the respondent no.04 to conclude the Encroachment Case No.02/2024-2025 pending before him expeditiously within a time schedule as directed by this Court.*
- (iii) For any other relief deemed fit and proper.*

3. Learned counsel for the petitioner submits that an encroachment proceeding has already been initiated and registered as Encroachment Case No.02/2024-25, but despite the lapse of considerable time, the same has not yet been brought to its logical conclusion. It is, therefore, prayed that an appropriate direction be issued to the competent authority to conclude the said proceeding within a stipulated time.

4. On the other hand, learned counsel appearing on behalf of the State submits that since the encroachment proceeding is already pending before the competent authority, this Court may issue an appropriate direction for its expeditious disposal after affording due opportunity of hearing to all concerned parties.



5. Having heard learned counsel for the parties and considering the facts and circumstances of the case, the Circle Officer, Nagra Anchal, Nagra, District- Saran, is directed to conclude Encroachment Case No. 02/2024-25 expeditiously within a period of three months from the date of receipt/production of a copy of this order, after affording adequate opportunity of hearing to all affected parties.

6. While deciding the proceeding, the Circle Officer shall satisfy himself, on the basis of the revenue records and other relevant materials, as to whether the land in question is a public land and whether the same is under unauthorized encroachment. If it is found that the land is a public land and has been encroached upon, the competent authority shall pass a reasoned order in accordance with law under the provisions of the Bihar Public Land Encroachment Act, 1956, and communicate a copy thereof to all affected persons, so as to enable them to avail such statutory remedy as may be available in law.

7. It is made clear that, in the event no order of restraint has been passed by any competent Court or authority, the Circle Officer shall proceed to take steps for removal of the encroachment in accordance with law, including issuance of



notice under Section 6(2) of the Bihar Public Land Encroachment Act, 1956, and ensure compliance with the final order passed in the encroachment proceeding.

8. With the aforesaid observations and directions, the writ application stands disposed of.

(Ajit Kumar, J)

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