

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14203 of 2025

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Deepak Kumar S/o Late Kapil Singh Resident of Village and P.O.- Pyarepur,
P.S.- Sarmera, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The District Magistrate, Nalanda.
3. The Superintendent of Police, Nalanda.
4. The Circle Officer, Sarmera, District- Nalanda.
5. The S.H.O., Sarmera, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Respondent/s : Mr. Government Pleader (20)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 16-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

(I) For issuance of an appropriate writ in the nature of MANDAMUS Commanding and directing the respondent authorities to conclude to land encroachment proceeding of Land Encroachment Case No. 30/ 2022 -23 pending before respondent Circle Officer and came to its final conclusion which was initiated against the encroachment made on the land which is Gairmazarua land situated in Mauja Pyarepur, Thana No. 83 appertaining to Khata No. 486 Khesra No. 1508, 1556, 1500, 1501.

(II) Further for direction to the respondent authorities to insure removal of alleged



*encroachment and get encroachment free of
aforementioned land.*

*(III) Further for issuance of any other
writ/writs, order/ orders, direction/ directions for
which petitioner shall be found entitled under the
fact and circumstances of the case under principle
of equitable justice.*

3. Learned counsel for the petitioner, by referring to Annexure-P/2, by which notice was issued under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, passed in Encroachment Case No.30/2022-23, submits that despite finality having been attained in the aforementioned encroachment case, still, the land has not been made encroachment free.

4. On the other hand, learned counsel for the State, submits that nobody had appeared, whose names find place in the notice dated 05.09.2025 and therefore, fresh steps have been taken by the authorities to give a proper hearing to all the petitioners, against whom findings of land being encroached by them, have been mentioned in the aforementioned notice issued under Section 6 of the Bihar Public Land Encroachment Act, 1956.

5. It has further been submitted that though the notices have already been issued, the authorities may be directed to bring the said proceeding to a logical conclusion after concluding the procedure, in accordance with law, as has been



re-initiated by providing opportunity of hearing to all concerned from the stage of the notice dated 05.09.2025 as has been issued in the aforementioned encroachment case.

6. In view of the aforesaid, it is expected that after giving opportunity of hearing to all concerned and making deliberations upon the claim made by the alleged encroachers, in reference to the revenue records maintained in the District, final order shall be recorded and once it is found that the land is under encroachment, all steps shall be taken by the authorities to get the land encroachment free.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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