

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16403 of 2025

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Krishna Kumar @ Krishna Kumar Yadav S/o Late Madan Mohan Yadav,
Resident of Village and P.O.-Meghauna, P.S.-Alauli, District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resource Department, Government of Bihar.
2. The District Magistrate, Khagaria.
3. The Superintendent of Police, Khagaria.
4. The Circle Officer, Alauli, Khagaria.
5. The S.H.O., P.S.-Meghauna, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Respondent/s : Mr.Government Advocate (03)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-07-2026 In this writ petition, the petitioner has prayed for
following relief:-

“1. That the present petition has been filed, on behalf of above named petitioner, praying for direction upon the respondent authority to expedite the process and conclude the Encroachment Case No. 02/2019-2020, pending before the Circle Officer, Alauli, District-Khagaria, which has been instituted pursuant to petition preferred by the petitioner, for removal of illegal encroachment over the Gair Mazurua Khas land appertaining to Khata No. 706, Khesara No. 2593, Tauzi No. 1352, Thana No. 207 admeasuring 0-2-0 acre at Mauja -Meghauna and/or to Pass such other order/orders as Your Lordships may deem fit and proper in the facts and circumstances of the case.”



3. Learned counsel for the petitioner submits that on the application made by the petitioner and other co-villagers, Encroachment Case No. 02/2019-2020 was instituted and notices under Section 3 of the Act of 1956 were also issued to the encroachers for removal of encroachment over the Gair Mazarua Khas land appertaining to Khata No. 706, Khesra No. 2593, Tauzi No. 1352, Thana No. 207 at Mauja Meghauna but, till date, for no prudent reason, the further proceedings have not been concluded by passing final order in the aforementioned encroachment case.

4. On the other hand, learned counsel for the State submits that if proceedings have already been initiated on the basis of application filed by the petitioner, the authority concerned may be directed to conclude the same by issuing notices to all concerned under Section 3 of the Bihar Public Land Encroachment Act, 1956 and securing their respective responses.

5. Considering the aforesaid submissions of the parties, this Court finds it appropriate to direct the Circle Officer, Alauli, Khagaria (Respondent No.4) to expedite the aforesaid Encroachment Case No. 02/2019-2020 and conclude the same by passing necessary order, adjudicating the grievance



of the petitioner by appreciating the response of all the persons concerned in reference to revenue records and once it is found that the land in question is a public land and the same has been encroached by the private persons, the same shall be made encroachment free within a period of three months from the date of receipt/production of a copy of this order.

6. With the aforementioned observation and direction, the writ petition stands disposed of.

(Ajit Kumar, J)

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