

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22 of 2024

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Kaushal Sharma son of Alakhdev Sharma, Resident of Mohalla- Mahuar,
Police Station-Haspura, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar Through Secetary, Revenue and Land Reforms
Department, Government of Bihar, Patna.
2. The Collector, District-Aurangabad.
3. The Circle Officer, Haspura, District- Aurangabad.
4. The Block Development Officer, Haspura, District-Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Respondent/s : Mr. Vivekanand Singh, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-04-2026 Heard the parties.

2. The present petition has been preferred for the
following relief(s):

*“(i) For issuance of an appropriate writ
in the nature of mandamus seeking direction to
respondents to not encroach/capture/construct over
the land of petitioner without any authority of law
as the land in question belongs to petitioner which
he has received by amicable partition in family but
respondent No. 3 had started filling soil over the
land for making construction over it.*

(ii) For issuance of an appropriate writ



in the nature of Mandamus seeking direction to respondent to decide and dispose of the representation which has been filed by petitioner for not disturbing/alienating ancestral land of petitioner without any authority of law and without hearing him.

(iii) For any other relief or reliefs for which the petitioner is entitled for.”

3. At the outset, learned State counsel, Mr. Vivekanand Singh has taken this Court to the counter-affidavit filed on behalf of the respondent nos. 2 to 4 with specific reference to paragraph nos. 13, 15 and 17 to submit that the petitioner and others are/were encroachers for which Encroachment Case No. 11 of 2021-22 was initiated by the Circle Officer, Haspura as the land has been recorded as *gairmajarua malik* land (Parti Kadim Land) and the last paragraph shows that on 18.08.2023, the encroachment was removed.

4. This Court has taken note of the fact that the writ petition has been filed in the year 2024 and no such averment has been brought on record by the petitioner.

5. In that background, considering it as a clear



suppression of fact, no relief can be extended.

6. The writ petition stands dismissed.

(Rajiv Roy, J)

Adnan/-

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