

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.389 of 2024

Ajay Kumar Verma, Son of Late Harinandan Prasad Sinha, Resident of
Mohalla Rajgir Kund, P.S.- Rajgir, District- Nalanda.

... .. Petitioner

Versus

1. The State of Bihar .
2. The District Magistrate, Nalanda.
3. The Additional Collector, (Revenue) Nalanda District- Nalanda.
4. The Sub-Division Officer, Rajgir, District- Nalanda.
5. The Circle Officer, Rajgir, District- Nalanda, Rajgir.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs.Namrata Mishra, Sr. Advocate Mr.Ratanakar Jha, Advocate Mr.Anamika Kumari, Advocate
For the Respondent/s	:	Mr.Mahtab Alam, AC to SC-20

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

10 24-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

*“(i) For issuance of an appropriate writ,
order, direction to restrain the Circle Officer Rajgir
District – Nalanda (Respondent No.5) from taking
any action against petitioner’s long peaceful
possession of the lands of Khata No. 332, Plot No.
5060, area 0.01/2 Decimals of Mauza Rajgir, P.S.
Rajgir, District- Nalanda in the name of*



encroachment of Govt. land.

(ii) For issuance of an appropriate writ, order, direction that without disposal of show cause reply filed on behalf of petitioner in compliance of order dated 26.08.1999 passed in C.W.J.C. No. 3139 of 1988, before Circle Officer, Rajgir is not only a contempt but also amount to arbitrary actions of the respondent No.5.

(iii) For issuance of an appropriate writ, order, direction granting any other relief or reliefs for which the petitioner is found entitled.”

3. Learned counsel for the petitioner submits that petitioner has filed representation before the Circle Officer, Rajgir for necessary action and disposal of the dispute, but in the said representation no order has been passed by the C.O. She further submits that the Circle Officer, Rajgir is trying to dispossess the petitioner from the land in question.

4. Learned counsel for the State has drawn attention of this Court towards paragraph No.5 of the supplementary counter affidavit filed on behalf of the Respondent Nos. 2 to 5 and submits that as per the records of the present case, there is no encroachment proceeding pending against the petitioner.



5. Having heard the parties and taking into account the fact that there is no such encroachment proceeding pending against the petitioner, hence, the issue of dispossession of petitioner does not arise. It is expected that the Authorities concerned will follow the due process of law before dispossessing the petitioner.

6. Accordingly, the present Writ petition stands disposed of.

(Alok Kumar, J)

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