

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.623 of 2025

1. Md. Manir Ansari Hanif Ansari Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
2. Prema Sharma, Son of Seeta Ram Sharma, Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
3. Nasrudin Miyan, Son of Manasahid Miyan Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
4. Akbar Miyan, Son of Rasul Miyan, Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
5. Krishana Prasad @ Krishna Patel Son of Ram Chandra Prasad @ Ram Chandra Patel, Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
6. Mahamud Miyan, Son of Late Nathuni Miyan, Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
7. Reyaj Miya @ Reyaj Ansari, Son of Shaheed Ansari, Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
8. Rudal Raut, Son of Baran Raut, Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.
9. Mangal Mahto, Son of Ramnath Mahto, Resident of Village Pakaria Ward No. 13, P.S. Jagdishpur, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The Superintendent of Police, West Champaran at Bettiah.
4. The Sub Divisional Magistrate, Sadar, Bettiah, District- West Champaran.
5. The Executive Engineer, Road Construction Department, Division Bettiah, District- West Champaran.
6. The Circle Officer, Nautan Circle, District West Champaran.
7. The Officer-in-Charge, Jagdishpur, Police Station, District- West Champaran.
8. The Circle Inspector, Nautan, District- West Champarna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Respondent/s : Mr.Government Advocate (7)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA



ORAL ORDER

- 2 16-02-2026
1. Heard learned Counsel for the parties concerned.
 2. The petitioners have filed the present writ application for quashing the notice, dated 05.05.2024, issued by the Circle Officer, Nautan, West Champaran, under Section 3 of the Bihar Public Land Encroachment Act, 1956.
 3. The contention of the petitioners is that they have been residing over the plot nos. 736, 738, 936 and 944 of village Pakariya, in the district of West Champaran since long, but the impugned notice, which has been issued for removal of the encroachment, does not contain the case number. However, upon enquiry, the petitioners came to know that Encroachment Case No. 02 of 2021-22 has been initiated by the Circle Officer.
 4. Learned Counsel for the State submits that the present writ application is premature inasmuch as the petitioners, without filing any objection under Section 4 of the Bihar Public Land Encroachment Act, 1956 (in short, 'the Act') and without waiting for final order passed under Section 6 (2) of the Act, have filed the present writ application.
 5. Having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioners, without filing their objections pursuant to the impugned



notice, dated 05.05.2024, have filed the present writ application, accordingly, this writ application is disposed with liberty to the petitioners to file their objections before the Circle Officer, Nautan, West Champaran, within a period of four weeks. The Circle Officer, Nautan, is directed to dispose the case in accordance with law after considering the objection filed by the petitioners within a reasonable time frame.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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