

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.760 of 2025

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Ram Babu Mandal son of Late Ruplal Mandal resident of Village- Ramnagar,
Suriyahi, P.O.- Suriyahi, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Darbhanga.
4. The Collector-cum-District Magistrate Madhubani,
5. The Additional Collector, Madhubani,
6. The Sub-Divisional officer, Phulparas, Dist- Madhubani
7. The Circle officer, Block Phulparas, Dist- Madhubani,
8. Manoj Thakur Son of Laxmi Thakur resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
9. Nasib Lal Mukhiya Son of Late Madhuri Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
10. Harinandan Mukhiya Son of Nasib Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
11. Shyam Mukhiya Son of Nasib Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
12. Sibu Mukhiya Son of Nasib Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
13. Surya Narayan Mukhiya Son of Nasib Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
14. Devnandan Mukhiya Son of Nasib Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
15. Ramdeo Mukhiya Son of Rasik Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
16. Brahamdeo Mukhiya Son of Rasik Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
17. Dharendra Mukhiya Son of Rasik Lal Mukhiya resident of Village-



- Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
18. Rajdeo Mukhiya Son of Rasik Lal Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
19. Rajesh Mukhiya Son of Ramdeo Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.
20. Sumrati Mukhiya Son of Ramdeo Mukhiya resident of Village-Ramnagar, Suriyahi, P.O- Suriyahi P.S- Phulparas, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate
Mr. Rohit Kumar, Advocate
For the Respondent/s : Mr. Standing Counsel (16)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioner and learned
counsel for the Respondent-State.

2. The instant writ application has been filed for the
following relief(s):-

(i) For issuance of writ/writs direction/directions order/orders, for removable the encroachment from the public land situated in Mauza- Ramnagar, Khata No. 459, Old Khesra No-4097, New Khesra No. 5611, total Rakwa-2.5 Kattha, which has been encroached by respondent 2nd set.

(ii) For issuance of writ/s, order/s, direction/s to the respondent no. 7, to remove the encroachment by respondent 2nd set whereby and under the petitioner and others filed a petition before the respondent no. 7, till date the encroachment has not been removed and the respondent no. 7 working for the interest of respondent 2nd set.

(iii) For issuance of appropriate writ/s,



order/s, direction/s to remove the encroachment so that the public at large of village-Ramnagar, Suriyahi may pass through the road free from hindrances.

(iv) To pass such other order/s as your lordships may deem fit and proper in the fact and circumstances of the case.

3. The petitioner is directed to file a fresh representation with regard to the encroachment, in question, giving full details of the persons who have made construction over the land and creating obstruction over the public road by blocking the same.

4. It is expected that once such an application for removal of the encroachment is filed by the petitioner, then the Circle Officer, Block Phulparas, Madhubani, will initiate the appropriate proceeding under Section 3 of the Bihar Public Land Encroachment Act, 1956 and, after giving notice to all concerned, necessary orders shall be passed, adjudicating the issues, in question, 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 the time so allowed under the statute.

5. It is expected that the entire exercise shall be carried out and concluded within the time stipulated under the Act from the date of initiation of proceeding under Section 3 of



the Bihar Public Land Encroachment Act, 1956.

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

(Ajit Kumar, J)

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