

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1270 of 2025

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Ram Babu Giri Son of Vishwanath Giri, Resident of Ahirauliya, Godaw
Panchayat Tejpurwa, P.S. Paharpur, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Revenue and
Land Reform Department of Bihar, Patna
2. The Collector -cum- District Magistrate, East Champaran at Motihari
3. The Additional Collector, District- East Champaran at Motihari
4. Deputy Collector, Land Reforms, Areraj, District - East Champaran
5. The Circle Officer, Paharpur, District- East Champaran
6. Ramji Sah S/o Late Chulhai Sah resident of Village- Mangerahan, Anchal
and P.S. -Paharpur District - East Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Singh
For the Respondent/s : Mr.Government Pleader (12)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-07-2026 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 in nature of
mandamus commanding / directing the respondent
authorities to remove the encroachment from the
giarmajarua land which is also used as general
way by the local public.*

*(II) For the issuance of the other relief for
which petitioner deem entitled to.*

3. The petitioner is directed to file a fresh
representation giving details of earlier representation and in



case, after declaring the land in question to be a public land, the encroachment proceeding has not been initiated, in such event, an appropriate decision shall be taken to register the encroachment case after identifying the land as public land and after giving opportunity of hearing to all concerned under Section 5 of the Act of 1956, final order shall be passed and upon due deliberations, in reference to the revenue records and upon due deliberation with reference to the revenue records, if it is found that the land is public land, the same shall be made free from encroachment.

4. It is expected that once such an application for removal of the encroachment is filed by the petitioner, then the Circle Officer, Paharpur, East Champaran, 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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