

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.757 of 2025

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Narendra Das Son of Devraj Das, Resident of Village - Bijahara, Post Office -
Majhiyawan, Police Station Konch, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Government of Bihar, Patna.
2. The Circle Officer, Tekari, Gaya.
3. The Block Development Officer, Tekari, Gaya.
4. The District Magistrate, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Mritunjay Narain, Advocate
For the Respondent/s : Mr. Government Pleader (18)

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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):-

That this is an application for issuance of writ/writs, order/orders, direction/directions to the respondents for removal of encroachment on government pond at Khata No. 217, Kheshra No. 366, 378, 1138, 138 in Panchayat Majhiyawan, Village - Vizahara, Police Station - Konch, Prakhanda - Konch, District - Gaya, Bihar on which some dominants and bad social elements has been encroached over above said pond and block the road causing very difficulty to move and walk to the villagers and public.

3. Learned counsel for the petitioner is directed to file



a fresh representation with regard to the encroachment proceeding, being Encroachment Case No.8 of 2019-20, 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. On the other hand, learned counsel for the State submits that appropriate direction may be issued for taking final decision with regard to removal of encroachment made on the government pond and as also the public land, which is attached with the said plot.

5. It is expected that once such an application for removal of the encroachment is filed by the petitioner, then the Circle Officer, Tekari, Gaya, 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.

6. 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.

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

(Ajit Kumar, J)

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