

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.685 of 2025

Vijay Mohan Tiwari son of Shiv Kumar Tiwari, Resident of Village-Kalaunjar, Police Station-Kalyanpur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar.
2. The Collector, Samastipur.
3. The Sub Divisional Officer, Samastipur.
4. The Circle Officer, Kalyanpur Block, District-Samastipur.
5. Umashankar Prasad, Son of Late Rajendra Deo, Resident of Village-Kalaunjar, Police Station-Kalyanpur, District-Samastipur.
6. Shatrudhan Deo, son of Late Rajendra Deo, Resident of Village-Kalaunjar, Police Station-Kalyanpur, District-Samastipur.
7. Hajari Sah, son of Bindeshwar Sah, Resident of Village-Kalaunjar, Police Station-Kalyanpur, District-Samastipur.
8. Sobhan Sah, son of Late Jugeshwar Sah, Resident of Village-Kalaunjar, Police Station-Kalyanpur, District-Samastipur.
9. Ganeshi Sah, son of Late Jugeshwar Sah, Resident of Village-Kalaunjar, Police Station-Kalyanpur, District-Samastipur.
10. Ramprasad Sah, son of Late Jugeshwar Sah, Resident of Village-Kalaunjar, Police Station-Kalyanpur, District-Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Respondent/s : Mr. Government Pleader (20)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

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

2. Learned counsel for the petitioner submits that against the order passed by the Circle Officer, Kalyanpur Block, District – Samastipur, in Encroachment Case No. 23 of 2022-



2023, the petitioner is said to have filed an appeal under Section 11 of Bihar Public Land Encroachment Act, 1956 on 16.02.2023.

3. It is the case of the petitioner that during pendency of the appeal, the Circle Officer, Kalyanpur Block, District – Samastipur, is threatening to evacuate this petitioner from the land in question for which the petitioner has preferred an appeal and for unexplained reason, the said appeal is not being adjudicated by the District Magistrate, Samastipur.

4. On the other hand, learned counsel for the State submits that since an appeal bearing Land Encroachment Appeal No. 37 of 2023 filed by the petitioner is already pending before the District Magistrate, Samastipur, an appropriate direction may be issued to the appellate authority for adjudicating the same by framing a timeline.

5. Considering the submissions of the parties, this Court finds it appropriate to direct the District Magistrate, Samastipur to adjudicate the said appeal within a period of two weeks from the date of receipt/production of this order, if the same has not yet been adjudicated till date. The orders so passed shall be communicated to the petitioner after the disposal of the case.



6. Meanwhile, *status quo* in connection with Encroachment Case No. 23 of 2022-2023, shall be maintained till the adjudication of the Encroachment Appeal pending before the Appellate Authority.

7. Accordingly the writ petition is disposed of in above terms.

(Ajit Kumar, J)

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