

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.781 of 2025

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Nawal Kishor Pandey @ Nawal Kishore Pandey, Son of Late Udit Pandey,
resident of village- Satpipra (Bhumihari Tola), P.S.- Ramgarhwa, District -
East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, East Champaran.
3. The Sub-Divisional Officer, Raxaul, District- East Champaran.
4. The Circle Officer, Ramgarhwa Circle Office, District- East Champaran.
5. Jitendra Ram, Son of Late Sadan Ram, resident of Village- Satpipra, Bhumihari Tola, P.S.- Ramgarhwa-District- East Champaran.
6. Rudal Ram, Son of Sukhari Ram, resident of Village- Satpipra, Bhumihari, Tola, P.S.- Ramgarhwa, District - East Champaran.
7. Raj Kapoor, Son of Late Mahanth Patel, resident of Village- Satpipra, Bhumihari Tola, P.S.- Ramgarhwa, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Respondent/s : Mr.Standing Counsel (8)

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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):-

*(i) For directing the respondents to remove
encroachment over the public road situated in
Mauza- Ramgarhwa, Thana No. 66 (Bhumihari
Tola, Satpipra), Khata No. 03, Khesra No. 43
District- East Champaran whereby and where
under the respondent No. 5 to 7 have encroached
the land of the aforesaid public road.*



(ii) Also for directing the respondents to remove encroachment over the public land/road in due process of law by initiating the process under Bihar Public Land Encroachment Act against the encroacher i.e. respondent No. 5 to 7 who have encroached the public road/land measurement report of Anchal Amin. as per

(iii) And for grant any other relief(s) as per the facts and circumstances of this case.

3. Learned counsel for the petitioner, by referring to the order-sheet, maintained in the Office of Circle Officer, East Champaran, submits that the Circle Officer, East Champaran, has found the land to be under encroachment and has ordered for issuing notice under Form 1 / Section 3 of the Bihar Public Land Encroachment Act, 1956, but till date, no action has been taken.

4. In such event, 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.

5. It is expected that once such an application for removal of the encroachment is filed by the petitioner, then the Circle Officer, East Champaran, will initiate the appropriate proceeding under Section 3 of the Bihar Public Land Encroachment Act, 1956 and verify from the record that if any



encroachment proceeding has been initiated on the representation filed by the petitioner and if no encroachment proceeding has been initiated, then on filing of detailed representation by this petitioner, within a period of three weeks, in reference to Annexure-P/3, shall be initiated after giving notice to all concerned, and necessary orders shall be passed expeditiously adjudicating the issues, in reference to revenue records, 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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