

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.238 of 2026

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Ashok Kumar Son of Rajendra Prasad, Resident of Village - Manikpur
Misiria, P.S.- Harsidhi, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, East Champaran, Motihari.
2. The Collector, East Champaran, Motihari.
3. The Anchaladhikari, Harsidhi, District-Motihari.
4. Akalu Ram, Son of Late Bagar Ram, Resident of Village-Domahi, P.S. and Anchal- Harsidhi, District- East Champaran at Motihari.
5. Bhikhari Ram, Son of Late Kali Ram, Resident of Village-Domahi, P.S. and Anchal- Harsidhi, District- East Champaran at Motihari.
6. Dhuri Ram, Son of Bangar Ram, Resident of Village-Domahi, P.S. and Anchal- Harsidhi, District- East Champaran at Motihari.
7. Bhok Ram, Son of Bangar Ram, Resident of Village-Domahi, P.S. and Anchal- Harsidhi, District- East Champaran at Motihari.
8. Ram Vinay Ram, Son of Late Pashpat Ram, Resident of Village-Domahi, P.S. and Anchal- Harsidhi, District- East Champaran at Motihari.
9. Bhadai Ram, Son of Bagar Ram, Resident of Village-Domahi, P.S. and Anchal- Harsidhi, District- East Champaran at Motihari.
10. Madan Ram, Son of Late Kali Ram, Resident of Village-Domahi, P.S. and Anchal- Harsidhi, District- East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uma Shankar Singh, Adv.
For the Respondent/s	:	Mr. Standing Counsel (10)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

5 16-07-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. Defect(s) as pointed out by the Office/Stamp
Reporter is ignored.

3. The writ petition has been filed for the following
reliefs:-



(i) for the issuance of an appropriate writ directing the Respondents 1st Set to remove the encroachment made by the Respondents 2nd Set over the disputed land.

(ii) for the issuance of an appropriate Writ/Order/Direction as your Lordships may deem fit and proper for the ends of Justice.

4. Learned counsel for the petitioner submits that on the application made by the petitioner, Encroachment Case No.07 of 2023-24 initiated under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to the 'Act of 1956') has been registered and notices under Section 3 of the Act of 1956 has also been issued but, till date, for no prudent reason, the further proceedings have not been concluded by passing final order in the aforementioned Encroachment Case.

5. On the other hand, learned counsel for the State submits that proceedings have already been initiated on the basis of application filed by the petitioner and as such the authorities may be directed to conclude the same, as notices to all concerned under Section 3 of the Act, 1956, have already been issued for taking final decision after concluding the hearing as stipulated under Section 5 of the Act, 1956.

6. Considering the submission of the parties, this Court finds it appropriate to direct the District Magistrate-cum-



Collector, East Champaran, Motihari, to issue necessary direction upon the concerned authorities for initiating appropriate proceeding under Section 3 of the Act, 1956 and, after giving notice to all concerned, necessary orders shall be passed, adjudicating the issues raised by the petitioner, and to take a final decision in the matter and in case, the land in question is found to be a public land under encroachment, the same shall be made encroachment free within a period of three months.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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