

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.641 of 2026

Hanif Ansari Son of Jumrati Ansari, R/o Nagwan, P.S. Bhagwanpur Hat, Sub-Division- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Commissioner, Saran Division, Saran at Chapra.
3. The District Collector-cum-Magistrate, Siwan.
4. The Chief Executive Officer-cum-DDC, Zila Parishad, Siwan, District- Siwan.
5. District Engineer, Zila Parishad, Siwan.
6. The Sub-Divisional Magistrate, Maharajganj, District- Siwan.
7. Circle Officer, Bhagwanpur Hat, District- Siwan.
8. Jhagru Rai, Son of late Bazari Rai, R/o Nagwan, P.S.- Bhagwanpur Hat, Sub-Division-Maharajganj, District- Siwan.
9. Jhulan Rai, Son of Late Bazari Rai, R/o Nagwan, P.S.- Bhagwanpur Hat, Sub-Division-Maharajganj, District- Siwan.
10. Baban Rai, Son of Late Bazari Rai, R/o Nagwan, P.S.- Bhagwanpur Hat, Sub-Division-Maharajganj, District- Siwan.
11. Moghal Rai, Son of Late Bazari Rai, R/o Nagwan, P.S.- Bhagwanpur Hat, Sub-Division-Maharajganj, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Md Tauqueer Azhar, Advocate
For the Respondent/s : Mr. Government Advocate 07

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 02-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

*(a) To direct the respondent authorities
to initiate encroachment proceedings on the basis*



of direction issued by Chief Executive Officer, Zila Parishad, Siwan vide letter no. 1632 dated 8.7.2025 and Memo No.397 dated 14.09.2024 of District Engineer, Zila Parishad of report submitted by Zila Parishad Amin and to remove the encroachment from the Khata public land appertaining to No.141, Survey Khesra No.393, Area 3 Katha 5 dhur recorded in the name of District Board in Khatian, and situated at Thana no.361, Mauja-Nagwan, P.S.- Bhagwanpur, Sub-Division- Maharajganj, District-Siwan.

(b) To grant any other relief-reliefs for which the petitioner is entitled under the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the land appertaining to Khata No.141, Khesra No.393, Area 3 Khata 5 dhur, Thana No.261 situated at Mauja-Nagwan, P.S. Bhagwanpur Hat, District Siwan is a public land belonging to District Board, now Zila Parishad, Siwan.

4. It is the case of the petitioner that earlier the measurement of the public land was conducted by the Zila Parishad Amin, who has submitted a report to the District Engineer, Zila Parishad, Siwan, along with the map and Nazri naksha wherein it has been mentioned that the respondents have encroached the land of the District Board / Zila Parishad and such facts may be referred from the Letter No.397 dated 14.09.2024, which is available with the Circle Officer, Bhagwanpur, Siwan. It has next been submitted that appropriate



representation have been made before the Zila Parishad, Siwan but for unexplained reasons, no proceeding has been initiated and illegal encroachment in the said land has not been removed.

5. On the other hand, learned counsel for the Zila Parishad, submits that appropriate directions may be issued to the Chief Executive Officer-cum-DDC, Zila Parishad, Siwan, to take appropriate action in accordance with law.

6. Considering the stand of the parties, learned counsel for the petitioner is directed to file a representation before the concerned authority, giving detail of all such encroachment on the said land with all supportive materials and documents along with a copy of the order passed by this Court within a period of four weeks from today and in case such application is filed before the Chief Executive Officer-cum-DDC, Zila Parishad, Siwan, he would verify the land in question and once it is found that the land in question is a public land, which is under encroachment by the encroachers, in such event, after issuing notice to all concerned and by following principles of natural justice and giving full opportunity of hearing to the said parties, necessary orders, in reference to revenue records shall be passed and necessary steps shall be taken for removal of encroachment from the said land.



7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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