

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.631 of 2026

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Vikram Sahni @ Vikrama Sahni Son of Late Shivshankar Sahni, Resident of village Godiyagaon, Ward No.- 2, Post- Kaithwaliya, Police Station - Sugauli, District - East Champaran, (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar Principal Secretary Department of Revenue and Land Reform, Bihar, Patna.
2. The Secretary, Department of Revenue and Land Reform, Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate -Cum Collector, East Champaran, Motihari.
5. The Additional Collector, East Champaran, Motihari.
6. The Sub-Divisional Officer, Sugauli, East Champaran, Motihari.
7. The Circle Officer, Sugauli, East Champaran, Motihari.
8. The Revenue Officer, Sugauli, East Champaran, Motihari.
9. Om Prakash Sahni, Sons of Lalman Sahni, Resident of village -Godiyagaon, Ward No. 2, Post- Kaithwaliya, Police Station- Sugauli, District- East Champaran, (Bihar).
10. Baccha Sahni, Son of Lalman Sahni Resident of village -Godiyagaon, Ward No. 2, Post- Kaithwaliya, Police Station- Sugauli, District- East Champaran, (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1, Advocate
For the Respondent/s : Mr.Standing Counsel (21)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

*(i) For issuance of appropriate Writ/s,
Order/s, Direction/s in the nature of mandamus to
issue a direction to the respondents to conduct
immediately a proper measurement of the land*



bearing Khata No. 137, Khesra No. 159, Thana No. 31 situated Under Mauza - Sugaon, Tola - Godigawa.

(ii) For issuance of appropriate Writ/s, Order/s, Direction/s in the nature of mandamus, for immediately remove the encroachment over the public land (Gair Majaruwa Aam Rasta) Under Mauza - Sugaon, Tola - Godigawa, bearing Khata No. 137, Khesra No. 159, Thana No. 31.

(iii) To direct the official respondents to measure and conduct a proper inquiry about the land over which the road is situated, as it has been encroached by the Private Respondent also the Khatyaniland of the petitioner is situated just after the Aam Rasta.

(iv) To pass such other order/s as your lordship may deem fit and proper in the fact and circumstances of this case.

3. Learned counsel for the petitioner submits that on the applications made by the petitioner, Encroachment Case No. 06/2023-24 was registered under Bihar Public Land Encroachment Act, 1956 (hereinafter referred to the 'Act of 1956') and notices under Section 3 of the Act of 1956 have also been issued but, till date, for unexplained reason, the further proceedings have not been concluded by passing final order in the aforementioned Encroachment Case.

4. 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 the authorities may be directed to conclude the same as notices, to all



concerned under Section 3 of the Bihar Public Land Encroachment Act, 1956, have already been issued.

5. 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 Bihar Public Land Encroachment Act, 1956 that notices shall be issued and after giving hearing to all concerned, necessary orders, in reference to the Revenue records, 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.

6. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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