



2026:PATHC:42306

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19534 of 2025

1. Sudhir Mehta S/o Late Balli Mehta, R/o Village Chilliaawa, P.O. Pandariya, P.S. Simra, Anchal - Kutumba, District Aurangabad.
2. Bhim Chouhhan, S/o Munshi Chouhhan, R/o Village -Pandariya Tola, Saghan Bigha, P.O. - Pandariya, P.S. - Simra, District -Aurangabad.
3. Madheshwar Yadav, s/o late Raman Yadav P.O. Pandariya, P.S. Simra, District Aurangabad.
4. Mahendra Pasawan, S/o Kishunpant Paswan, R/o Village - Pokharahi, P.O. -Pandariya, P.S. - Simra, District - Aurangabad.
5. Pancham Saw, S/o Late Dhura Saw, R/o Village - Chorha, P.O. - Pandariya, P.S. Simra, District - Aurangabad.
6. Vijay Mehta, S/o Late Ganpat Mehta, R/o Village Chilliaawa P.O. Pandariya, P.S. Simra, Anchal Kutumba, District-Aurangabad.
7. Gopal Mehta, S/o Jagan Mehta, R/o Village - Chilliaawa, P.O. - Pandariya, P.S. - Simra, Anchal - Kutumba, District - Aurangabad.
8. Shiv Yadav, S/o Lakhan Yadav, R/o Village Chilliaawa, P.O. Pandariya, P.S. Simra, Anchal Kutumba, District -Aurangabad.
9. Lakhan Yadav, s/o late Indradeo Yadav R/o Village Chilliaawa, P.O. Pandariya, P.S. Simra, Anchal - Kutumba, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Aurangabad, District - Aurangabad.
3. The Additional Collector, Aurangabad.
4. The Sub-Divisional Officer, Sub-Division, Aurangabad.
5. The Circle Officer, Circle Kutumba, District Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma
For the Respondent/s	:	Mr. Sunil Kumar Mandal, Standing Counsel (03)
		Ms. Bittu Kumari, AC to SC-3

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioners and
learned counsel for the respondents.

2. In view of the statement made by the learned





counsel for the petitioner, defect pointed out by the Office is ignored.

3. The instant writ application has been filed for removal of encroachment over public land appertaining to Khata No. 84, Plot No. 886 (Public Land) and Government Pain (Minor Irrigation Sources) appertaining to Khata No. 84, Plot No. 860, situated at Mauza Simra, Circle Kutumba (Aurangabad). It is alleged that no action has been taken under the Bihar Public Land Encroachment Act, 1956, despite measurement and issuance of several notices.

4. Learned counsel for the petitioner, referring to Annexure-P/4 issued by the Circle Officer, Kutumba, submits that the names of the persons mentioned in the notice indicate that proceedings for removal of encroachment were initiated. However, despite notice being issued in the year 2024, dated 05.01.2024 directing appearance on 30.04.2024, the matter has not been brought to a logical conclusion to date.

5. On the other hand, learned counsel for the State submits that appropriate directions may be issued to the Circle Officer, Kutumba, to initiate proceedings under the Bihar Public Land Encroachment Act, 1956, and after providing an opportunity of hearing to all affected parties, a final decision





may be taken in accordance with the procedure prescribed under the statute.

6. Considering the submissions of the parties, the petitioners are directed to file a fresh representation before the Circle Officer, Kutumba, within a period of two weeks from today. Upon receipt of the same, the Circle Officer shall examine the matter with reference to the revenue records, and if the land is found to be public land, he shall initiate encroachment proceedings. After hearing the parties and upon finding that the land is under encroachment, necessary steps shall be taken to make the land encroachment-free within a period of six months from the date of receipt of the representation.

7. With the aforesaid observations and directions, the instant writ application stands disposed of.

(Ajit Kumar, J)

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