

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 6420 of 2026

Basudev Saw, S/o Ghaman Saw, R/o Village-Barkatha, PO & PS-Barkatha, Dist-Hazaribagh, Jharkhand. **Petitioner(s)**

Versus

1. The State of Jharkhand.
2. The Deputy Commissioner, Hazaribagh, Dist-Hazaribagh.
3. The Circle Officer, Barkatha, PO & PS-Barkatha, Dist-Hazaribagh.
4. The Officer-in-Charge, Barkatha, Police Station, Dist-Hazaribagh.
5. Office of the Land Reforms Deputy Collector (LRDC) (Barhi) PO & PS-Hazaribagh, Dist-Hazaribagh.
6. Rameshwar Yadav, son of Late Raghu Yadav, Resident of Barkatha, Near High School, PO & PS-Barkatha, Dist-Hazaribagh.
7. Rajkumar Yadav, son of Late Inderdeo Yadav, resident of Barkatha, Near High School, PO & PS-Barkatha, Dist-Hazaribagh.
8. Shakti Yadav, son of Rameshwar Yadav, Resident of Barkatha, Near High School, PO & PS-Barkatha, Dist-Hazaribagh.
9. Umesh Yadav, Son of Late Raghu Yadav, Resident of Barkatha, Near High School, PO & PS-Barkatha, Dist-Hazaribagh.

... .. **Respondent(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Suman Kr. Sinha, Advocat
Mr. Mahesh Kr. Sinha, Advocate
For the Respondent(s) : Mr. Baibhaw Gahlaut, AC to Sr. AAG

03/ 09th September, 2026

1. Heard the parties.
2. It is the grievance of the petitioner that has approached the authorities alleging unauthorized construction over the public land, by the respondents Nos.6 to 9.
3. It is his grievance that the respondents are sitting tight over the matter and is not proceeding under Section 3 of the Bihar (Jharkhand) Public Land Encroachment Act which empowers the Collector to enquire and remove encroachment over a property. He submits that no proceeding also has been initiated on the application of the petitioner.
4. Learned counsel appearing on behalf of the State

submits that an appropriate action will be taken in terms of the Bihar (Jharkhand) Public Land Encroachment Act treating the application of the petitioner to be one under Section 3 of the Bihar / Jharkhand Public Land Encroachment Act.

5. Considering the said submission, since there is a provision for initiating a proceeding against the encroachers in terms of the Bihar (Jharkhand) Public Land Encroachment Act and as per Section 3 of the aforesaid Act, any person can move an application for removal of any construction over the public land though after following a procedure of law, it is expected that the Collector will consider the application of the petitioner and initiate a proceeding and thereafter, proceed as per law.

6. With the aforesaid observation, this writ petition is **disposed of.**

(ANANDA SEN, J.)

09th September, 2026
R.S. / S.K.D/CP-2

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