IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5621 of 2026

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Mani Bhushan Giri Son of Suraj Giri, Resident of Village and P.O.- Narayanpur, Ward No. 10, Panchayat- Padumker, P.S. and Anchal- Patahi, District- East Champaran.

... ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Principal Secretary, Animal and Fisheries Resources Department, Government of Bihar, Patna.
4. The District Magistrate-cum-Collector, East Champaran, Motihari.
5. The Sub-Divisional Officer (SDO), Pakridayal, District- East Champaran.
6. The Deputy Collector Land Reforms (DCLR), Pakridayal, District- East Champaran.
7. The Circle Officer (CO), Patahi, District- East Champaran.
8. The Station House Officer (SHO), Patahi Police Station, District- East Champaran.

... ... Respondents

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Appearance :
For the Petitioner : Mr. Prince Kumar Mishra, Advocate
For the Intervenor : Mr. Manaur Alam, Advocate
Mr. Shahrukh Shiddiqui, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-09-2026

This writ petition has been filed with the following prayer(s):-

"A. For issuance of an appropriate writ, order, or direction in the nature of MANDAMUS commanding the

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Respondent Authorities, particularly Respondent No. 4 (District Magistrate, East Champaran) and Respondent No. 5 (Sub-Divisional Officer, Pakridayal), to immediately depute adequate police force and a Magistrate to assist the Circle Officer, Patahi in executing the eviction orders passed in Encroachment Case No. 09/2017-18, and to forthwith remove all illegal encroachments and concrete (pucca) structures from the public water body bearing Khata No. 24, Khesra No. 721, 722, 789 and 997, situated at Mauza-Narayanpur, Thana No. 196 (Dhaka), Anchal- Patahi, District- East Champaran.

B. For issuance of writ in the nature of MANDAMUS directing the Respondents to ensure the unobstructed construction of the public drain (pukka nala) under the State Government's "Saat Nischay Yojana" over the subject land, the execution of which has been completely stalled due to the continuous administrative failure in removing the encroachers, thereby causing severe waterlogging and a public health hazard in Ward No. 10 of Village Narayanpur.

C. And/or for issuance of such other writ(s), order(s), or direction(s) as Your Lordships may deem fit and proper in the facts and circumstances of the case, and in the interest of the general public and local ecology."

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2. We note that an I.A. No. 01 of 2026 has been filed by Mr. Sujeet Kumar, aged about 28 years, son of Shambhu Ray @ Shambhu Raut, resident of Village- Narayanpur, P.S.- Patahi, District- East Champaran seeking his impleadment in this proceeding.

3. The submission for the learned counsel for the applicant Mr. Sujeet Kumar is that against the order dated 30th July, 2026 passed by Circle Officer, Patahi, he has filed an appeal before the Collector, East Champaran which is still pending consideration. According to him, these proceedings shall have bearing on the proceedings pending before the Collector, East Champaran.

4. Mr. Prince Kumar Mishra, learned counsel for the petitioner states that the petitioner has no information insofar as the filing of the appeal by the petitioner. He says the same is for reason that the petitioner otherwise has no locus to contest the appeal proceedings before the Collector.

5. In any case, we are of the view that as the appeal is pending before the Collector bearing No. 134/26-27, we direct that the Collector shall decide the appeal, preferably within a period of three months from today.

6. In view of the present order passed by this Court,

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Mr. Prince Kumar Mishra says, as of now, the petition be closed. If any cause survives for the petitioner, liberty be granted to the petitioner to approach the Court.

7. With the aforesaid liberty, the writ petition is closed.

8. Pending application(s), if any, shall also stand disposed of.

9. Let a copy of this order be sent to the Collector, East Champaran for information and compliance.

(V. Kameswar Rao, CJ)

(Sudhir Singh, J)

Sachin/-

AFR/NAFR	
CAV DATE	N.A.
Uploading Date	17.09.2026
Transmission Date	

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