

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.423 of 2025

1. Jeebachh Sarju Manda @ Jeebachh Matho Son of Late Saryug Mandal, R/o Village-Dasaut, P.S.-Shivaji Nagar, District-Samastipur.
2. Suresh Mandal @ Gulli Mandal, son of Late Kapal Mandal, R/o Village-Dasaut, P.S.-Shivaji Nagar, District-Samastipur.
3. Mano Devi, W/o Suresh mandal, R/o Village-Dasaut, P.S.-Shivaji Nagar, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Planning Officer/Assistant Planning Officer, Samastipur.
5. The Deputy Collector Land Reform, Rosera, District-Samastipur.
6. The Additional Collector, Samastipur.
7. The Executive Engineer Local Area Engineer Organization, Work Division 02, Rosera, District-Samastipur.
8. The Circle Officer, Shivaji Nagar, District-Samastipur.
9. The Principal Navsrijit Primary School Usrahi, P.S.-Shastri Nagar, District-Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mohit Shriwastava, Advocate Mr. Ranjeet Kumar, Advocate
For the State	:	Mr. Mahendra Pd. Verma, A.C. to S.C.-20

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 23-01-2025 Heard learned Counsel for the petitioners and
learned Counsel for the State.

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

(i) For issuance of direction to the



respondent authorities to not to construct any Government Building upon the private land of the petitioners appertaining to Khata No. 815, Plot No. 421, village- Dasaut, P.S. - Shivaji Nagar, District- Samastipur on the basis of sanction order dated 12.07.2024 issued with the signature of District Planning Officer/ Assistant Planning Officer, Samastipur.

(ii) For setting aside the sanction order dated 12.07.2024 issued with the signature of District Planning Officer / Assistant Planning Officer, Samastipur whereby he sanctioned for construction of school building has been given on the land provided by the circle officer Shivajinagar District Samastipur who has given land availability certificate with respect to the private land of the petitioners.

(iii) For issuance of direction to the circle officer Shivajinagar District Samastipur and the District Planning Officer / Assistant Planning Officer, Samastipur to provide a copy of the Government land availability certificate issued by



the circle officer Shivajinagar, District Samastipur as mentioned in sanction order dated 12/07/2024 and after production thereof same may be quashed as the land mentioned in the said certificate is the private land of the petitioners and Jamabandi no. 107 is maintain on the basis of cadastral survey Khatiyan.

(iv) For issuance of direction to the respondents authorities to initiate departmental proceeding and take other legal action against the Circle Officer Sivajinagar District Samastipur and the Principal Navsrejet Primary School Usrahi, P.S. - Sahastri Nagar, District - Samastipur who are constructed the school building upon the private land of the petitioners granting order of stay issued by the District Planning officer vide his order dated 22/08/2024 and 31/08/2024.

(v) For that any other relief/reliefs for which the petitioner may be deemed entitled to.

3. Learned Counsel for the petitioners by drawing attention towards Annexure-P/8 submits that, a letter written by the District Planning Officer, Samastipur addressed to Executive



Engineer, Local Area Engineer Organization, Work Division-02, Rosera, District-Samastipur (letter no. 1340 dated 22.08.2024) whereby the District Planning Officer requested the Executive Engineer that the District Planning Officer has received a letter from the petitioners claiming the land where upon the school is proposed to be constructed belonging to petitioner no. 3.

4. The grievance of the petitioner is that despite the representation made by the petitioners, the construction work is still going on.

5. This writ petition is disposed of with the direction that if the petitioners make their representation before the District Magistrate, Samastipur that shall be decided within a period of four weeks, an accordance with law.

(Nawneet Kumar Pandey, J)

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