

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1119 of 2025

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1. Parmanand Yadav Son of Yamuna Yadav Resident of Village- Kishandaspur, Ward No.,-15, P.S.-Buddhuchak, District- Bhagalpur.
 2. Sharmanand Yadav Son of Late Yamuna Yadav Resident of Village- Kishandaspur, Ward No.,-15, P.S.-Buddhuchak, District- Bhagalpur.
 3. Anil Yadav Son of Late Yamuna Yadav Resident of Village- Kishandaspur, Ward No.,-15, P.S.-Buddhuchak, District- Bhagalpur.
 4. Sanjay Kumar Son of Late Dukha Yadav Resident of Village- Kishandaspur, Ward No.,-15, P.S.-Buddhuchak, District- Bhagalpur.
 5. Mukesh Kumar Son of Late Dukha Yadav Resident of Village- Kishandaspur, Ward No.,-15, P.S.-Buddhuchak, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna-1
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna-1
3. The District Magistrate/Collector, Bhagalpur.
4. The Police Senior Superintendent, Bhagalpur.
5. SHO, Buddhuchak Police Station, Anchal-Kahalgaon, District-Bhagalpur.
6. Sub-Divisional Officer, Kahalgaon, Bhagalpur.
7. Block Development Officer, Kahalgaon, Block, Bhagalpur.
8. Sushree Supriya Kumari, the Circle Officer, Kahalgaon, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Adv.
For the Respondent/s : Mr. Standing Counsel (05)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-03-2025 1. Heard learned counsel for the petitioners and learned AC to SC-5.
2. The learned counsel appearing on behalf of the State submits that it appears that the petitioners are indulging in leisure litigation. It is next submitted that from perusal of the



pleadings made in the writ application, it would manifest that the instant writ application has been filed seeking a direction upon the authorities not to construct the Panchayat Sarkar Bhawan on the raiyati land of the petitioners, as recorded in the writ application.

3. The learned counsel appearing on behalf of the State next submits that from perusal of the supplementary affidavit filed on behalf of the petitioners, it manifests that petitioners had filed Title Suit No.20 of 2004, in which, the State of Bihar along with Raghubir Yadav, Harilal Yadav and Sachidanand Yadav were impleaded as defendants. It is further submitted that Title Suit No.20 of 2004 was filed for declaring the title of the plaintiffs (some of them petitioners herein) over the land in dispute. It is further submitted that the Title Suit No.20 of 2004 was filed for the reason that in the revisional survey khatian, name of Raghubir Yadav, Harilal Yadav and Sachidanand Yadav was recorded with respect to the land in dispute. It is next submitted that Title Suit No.20 of 2004 got dismissed for non-prosecution, and thereafter, Misc. Case No.1 of 2025 has been filed by the petitioners, seeking restoration of Title Suit No.20 of 2004.

4. On query of the Court from the learned counsel



appearing on behalf of the petitioners that as to when Title Suit No.20 of 2004 was dismissed for non-prosecution, the learned counsel for the petitioners fairly submits that the same was dismissed for non-prosecution long time back and the petitioners were not aware that the title suit has been dismissed for non-prosecution, as such, recently, Misc. Case No. 01 of 2025 has been filed seeking restoration of Title Suit No.20 of 2004, on which, the learned counsel appearing on behalf of the State submits that in the event if the title suit is decided against the petitioners whether it would be prudent for this Court to restrain the authorities from proceeding with the construction of Panchayat Sarkar Bhawan on the land in dispute or the petitioners should move an application in the Title Suit No.20 of 2004 for seeking injunction against the State of Bihar, as State of Bihar is also a party in the said title suit.

5. At this stage, the learned counsel appearing on behalf of the petitioners submits that the Title Suit No.20 of 2004 was dismissed for non-prosecution long time back and Misc. Case No.01 of 2025 has been filed for seeking restoration of Title Suit No.20 of 2004 and if the Title Suit No.20 of 2004 for any reason is not restored, in that event, the petitioners would be deprived of his right over the land in dispute, on



which, the learned counsel appearing on behalf of the State submits that the same is a far fetch submission and also gives an impression that the petitioners are indulging in leisure litigation.

6. Considering the submissions made by the learned counsel appearing on behalf of the State, the Court finds no merit in the writ application.

7. The same is dismissed.

8. However, the same would not preclude the petitioners from availing his remedy before the learned District Court in Title Suit No.20 of 2004.

(Satyavrat Verma, J)

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