

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3061 of 2025

Ranjay Das, aged about 50 years, male, Son of Lakhan Das, resident of Village- Samas Bujurg, Sanwas, P.S.-Barbigha, District- Sheikhpura.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Joint Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Education Officer, Shiekhpora.
4. The District Panchayat Raj Officer, Sheikhpura.
5. The District Magistrate, Shekhpora.
6. The Deputy Collector, Land Reform, Sheikhpura.
7. The Sub-Divisional Officer, Sheikhpura.
8. The Block Development Officer, Barbigha, Sheikhpura.
9. The Circle Officer, Barbigha, Sheikhpura.
10. The Headmaster, Sri Jagdamba Plus 2 Uchch Vidyalaya, Samas, Barbigha, Shiekhpora.

... .. Respondents

Appearance :

For the Petitioner : Mr. Prem Kumar, Advocate
For the Respondents : Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 20-11-2025 In the instant petition, the petitioner prays for the following relief(s):-

“For passing necessary order/orders or direction/directions as nature of the case may require commanding the respondent authorities not to construct the building (Panchayat Bhawan) over the land in question by way of



issuing writ of mandamus.”

2. The following statements have been made in paragraphs 7 & 9 of the counter affidavit filed on behalf of Respondent Nos.3 to 9:-

“7. The statement made in Para-4 and 5 of the writ petition are not correct. Real fact is that the land appertaining to Khata no.285, Plot no.5352 under Thana no.26 area 1.78 Acre is Gairmajarua land in Survey Khatiyani and it is relevant to mention here that the executants of alleged deed of gift have got no right title to execute deed of gift because land in question is Gairmajarua land. There is no any Jamabandi running in the name of Government School for the said land. The land in question never came in use of the said School as playground, academic courses etc and no construction exists or standing upon the area 120’x90’ (approx 25 decimal) allotted for the Panchayat Sarkar Bhawan and the same is barren for so many decades. A Waste Processing Unit was also constructed on the part of said plot few years ago. A Panchayat playground had also been constructed on the part of same plot no.5352. The Respondent no.9 as per instruction of Government submitted report before D.P.R.O. on 17.08.2024 through his office letter no.1105 along with report submitted by Rajaswa Karamchari and Anchal Amin for the same work.

9. That statement made in para-8 and 9 of the



writ petitions are not correct. Real fact is that as stated above the proposed construction of Panchayat Sarkar Bhawan on land of above Khata No.-285, Plot No.-5352, area-1 acre 78 dismil recorded in survey Khatiyani as Gairmajarua land for which detail enquiry was conducted, field verification report was obtained from Rajasw Karamchhari and Anchal Amin. A general public notice was also issued to invite any objection over the proposed plot.”

3. Upon perusal of materials on record, it is evident that the land over which the *Panchayat Bhawan* is proposed to be constructed, is not part of the land of school in question. We, therefore, find that no further order is required to be passed in the present writ petition.

4. Accordingly, this writ application stands disposed of.

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

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J.)

*Gaurav Kumar,
Ibrar/-*

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