

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5029 of 2025

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1. Bindeshwar Prasad Yadav @ Bindeshwar Yadav Son of Late Narayan Yadav, R/o- Silaunja Tola, Neuri, Belaganj, Gaya, Pin Code- 804403.
 2. Baudh Yadav @ Baudh Son of Late Narayan Yadav, R/o- Silaunja Tola, Neuri, Belaganj, Gaya, Pin Code- 804403.
 3. Munshi Yadav Son of Late Narayan Yadav, R/o- Silaunja Tola, Neuri, Belaganj, Gaya, Pin Code- 804403.
 4. Tulsi Yadav Son of late Narayan Yadav, R/o- Silaunja Tola, Neuri, Belaganj, Gaya, Pin Code- 804403.

... .. Petitioner/s

Versus

1. The State of Bihar through Principle Secretary, Revenue and Land Reform Department.
2. The Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Gaya.
4. The Senior Superintendent of Police, Gaya.
5. The Secretary of Building Construction Department, Government of Bihar, Patna.
6. Niranjana Rai Construction Pvt. Ltd., Through its director Niranjana Rai, Situated at Kalikagunj Colony, Near Sirsia Block, Giridhi, Jharkhand, Pin Code- 815301.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Ranjan
For the Respondent/s : Mr.Government Pleader (04)

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-04-2025 Heard the parties.

2. That the present writ application is being filed for
the following relief(s):

I. For issuance of an appropriate writ/writs,
order/orders direction/directions for setting aside the
order dated 24.12.2024 passed by Divisional
Commissioner, Gaya in light of order dated



20.12.2024 passed by District Magistrate, Gaya contained in Letter No.-4649 dated 20.12.2024 of Collector, Gaya, which the Collector, Gaya has approved the proposal of free of cost Inter Departmental Land Transfer for purpose of construction of building at Mauza-Rauna, Circle-Belaganj for construction of Dr. Bhim Rao Ambedkar Residential School at land of Mauza-Rauna, bearing Thana no.-433, Khata no.-737, Khesra No.-4126, Area-03.34 Acre in favour of Schedule Caste and Schedule Tribe Welfare Department Government of Bihar Patna. And the same was finally approved by Commissioner Magadh Division vide his order dated 24.12.2024.

II. For issuance of an appropriate writ/direction/order directing the respondents to set aside the order by which the respondents have wrongly and illegally ordered to construct building of Dr. Bhim Rao Ambedkar Residential School over the purchased land of petitioners bearing Thana no.-433, Tauzi No.-5151, Khata no.-407, Khesra No.-3249, Area-3.34 Acre out of total area of 4 acre 2 Decimal.

III. For issuance of an appropriate writ/direction/order directing the respondent to immediately stop the construction work going on the site.

IV. Any other relief/s for which the petitioners be found entitled be granted in favour of petitioner.

V. In the interim, the construction work over the land, in question be stayed immediately till the disposal of present petition.

3. The petitioners claim the land, proposed for



construction of Dr. Bhimrao Ambedkar Residential School, to be their raiyati land.

4. Perusal of the order dated 24-12-2024 passed by Divisional Commissioner, Magadh Division, Gaya (Annexure-1) shows that the description of the land, proposed for construction of Dr. Bhimrao Ambedkar Residential School by Collector, Gaya, is plot No. 737 Khesera No. 4126 by which, the Divisional Commissioner has accorded his sanction for construction of the school over the selected land.

5. Learned counsel for the State submits that the land which is claimed by the petitioners on the basis of sale deed is Khata No. 407, Khesera No. 3249 which is entirely different from the land selected by the State Government for the proposed school.

6. I do not find any merit in the present writ petition and accordingly, it is dismissed.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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