

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5875 of 2025

Vijay Kumar Singh, Son of Late Sukhdev Prasad Singh Resident of Village-
Ababakarpur, P.S.-N.H. Bangra, P.O.-Manpura, Distt.-Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar Patna.
2. The Chief Secretary Govt. of Bihar Patna.
3. The Distt. Magistrate Samastipur.
4. The Executive Engineer Building Construction Department Samastipur.
5. The Circle Officer Tajpur, Under Distt.-Samastipur.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Advocate
For the Respondent/s : Mr.Standing Counsel (28)

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 15-09-2025

In the instant Writ petition, petitioner has prayed
for the following relief(s):

“I) For issuance of Writ especially in nature of Mandamus Directing and commanding to the Respondents concern not to make any construction or not to allot any piece of Land of Land bearing Plot No.-52/142 and Kheshra No.-312/620 (Old/New) and area of Three Acres Twenty Decimal situated under Thana No.-98 in the village Ababkarpur under Panchayat-Manpura Circle-Tajpur Distt.-Samastipur.

II) For further be Pleased to issue any other appropriate Writ/Writs for cancellation of any type of allotment of peace of land or any type



of construction of Building over the Land bearing Plot No.-52/142 and Kheshra No.-312/620 (Old/New) and area of Three Acres Twenty Decimal situated under Thana No.-98 in the village- Ababkarpur under Panchayat -Manpura Circle-Tajpur Distt.-Samastipur.

III) For Further be pleased to issue writ in nature of Mandamus directing and Commanding Respondents to Measure the Land of Plot No.-52 Kheshra No.-312 and make boundary of the same, for future protection from any type of encroachment.

IV) During Pendency of this writ Petition the status quo may kindly be maintained over the land in question.

V) For any other writ/writs, order/orders, direction/Directions for which the Petitioner is legally entitled.”

2. The aforementioned relief is not supported by material information to the extent that there is a proposal for construction of certain building over the aforementioned property. Perusal of the revenue records, it is evident that the aforementioned property is earmarked for cremation purpose. On the other hand, petitioner has not produced any material to show that there is a proposal for construction other than the cremation building. However, no material has been placed on record. Further, representation is not crystal clear with reference to relevant documents. Therefore, the present petition is not maintainable.

3. Be that as it may, petitioner is at liberty to file a



fresh representation before the concerned authority while furnishing revenue records and if there any proposal from the competent authority to construct any type of building other than it has been earmarked. If such representation is submitted, the concerned authority is hereby directed to decide within a reasonable period of time of 04 months from the date of receipt of such application to be filed.

4. With the above observation, Writ petitioner stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.09.2025
Transmission Date	NA

