

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5306 of 2025

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Durgesh Kumar S/o Late Dulare Prasad, Resident of Ashok Medical Hall,
Adsarsh Nagar Lohar Patti Mairwa, P.S.- Mairwa, District- Siwan, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, General Administration,
Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department,
Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Executive Officer, Nagar Panchayat, Mairwa, Siwan.
5. The Chief Councilor Nagar Panchayat, Mairwa, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Vikas Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 15-12-2025 The present writ application has been filed in the form
of a Public Interest Litigation (PIL) for the following reliefs:

*(i) For issuance of writ in the
nature of mandamus and appropriate writ
commanding and directing the Respondents
to make permanent Bus Stand in Mairwa
Nagar Panchayat and give all facilities of
Bus Stand.*

*(ii) For further direction to the
Respondents to implement the letter no. 413
& letter no. 5008 dated 26.11.2015 issued by
Urban Development and Housing
Department, Bihar, Patna.*



(iii) For further direction to the Respondents to stop the financial irregularities in the name of temporary bus stand arrangement in Mairwa and stop the process of short term Bandobasti notice no. 03/2024-25.

(iv) For further direction to the Respondents to access the loss of public money in the name of the arrangement of temporary bus stand in Mairwa Nagar Panchayat from the financial year 2015-16 to 2023-24.

(v) For the further direction to the respondent no. 01, 02 and respondent no. 03 to take legal action against the persons who are responsible for those financial irregularities.

(vi) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.

2. A counter affidavit has been filed on behalf of respondent No.4, the relevant paragraphs of which are extracted hereinbelow:

“10. That in reply to the averments contained under paragraph No. 5 of the writ application under reply it is submitted that after duly taking into account direction contained in Letter No. 413 dt. 26.11.2015 (Annex. 1/pg.....) the answering respondent No. 4 vide Letter No. 53 dt. 13.01.2016 had requested for the grant of no objection to land mentioned therein.



11. That in response to that vide Report contained in Letter No. 990 dt. 10.11.2016, the Circle Officer, Mairwa reported before the Additional Collector, Siwan that the said Circle Officer, Mairwa got inquiry conducted in said regard through the Revenue Karmchari and Circle Inspector who submitted Report.

12. That it is further submitted in the said Letter the Circle Officer, Mairwa further reported there is creation of Mutation in the name of Babulal Sah son of Nilmani Sah against Khata No. 121, Survey No. 121, Area 1-1-5, Revenue/Grant rent 2.42. Rest part of land are recorded as Gair Mazaruwa Malik Mokridaran and those land not mutated.

13. That on the basis of the Report of Revenue Karmchari and Circle Inspector, Nagar Panchayat, Mairwa got the measurement conducted through the deputed Amin on dt. 08.06.2016 who also provided Trace Map after measurement.

14. That the Circle Officer, Mairwa in the aforesaid Letter No. 990 dt. 10.11.2016 further reported that Public Notice in this regard were also issued and no objection of any kind were received against that till date.

15. That it is aforesaid letter, the Circle Officer, Mairwa further stated that vide Letter No. 575 dt. 02.07.2016 clear opinion from the Respondent No. 4 was with regard to the suitability of such land for the utilization of such as the Bus Stand as per the



Rules Department of Urban Development and Housing on which the Respondent No. 4 vide Letter No. 573 dt. 15.07.2016 communicated its clear opinion that such land was fit for the utilization of such as Bus Stand.

16. That vide aforesaid letter the Circle Officer, Mairwa further requested the Additional Collector, Siwan to take further action.

20. That with regard to the averments contained under paragraph No. 8 of the writ petition under reply it is most humbly submitted those are highly unplaced, incorrect and contrary to the record as well and hence those are denied forcefully. From averments contained under the forgoing paragraph No. 9 to 16 of present counter affidavit, it may be apparent that in due compliance of direction of the Department of Urban Development and Housing, the answering Respondent No. 4 took every steps possible on its part for the transfer of the land for the construction of Bus Stand.”

3. Considering the statements made in the counter affidavit, it appears that the concerned authorities have already taken steps for transfer of the land for establishment of a permanent bus stand. In view of the same, we find no reason to pass any further order in the present writ application.

4. It is, however, expected that the authorities shall



take all necessary steps for establishment of the permanent bus stand, at the earliest, keeping in mind the convenience of local residents.

5. The writ application is, accordingly, disposed of.

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

(Sudhir Singh, ACJ)

(Alok Kumar Pandey, J)

Nilmani/
Anushka-

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