

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13194 of 2015

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1. Kameshwar Prasad Singh Son of Late Parsadi Singh,
 2. Parmeshwar Prasad Singh, Son of Late Sadashiv Mahto,
 3. Satyendra Kumar Singh, Son of Late Awadhesh Prasad Singh,
 4. Manohar Prasad, Son of Late Sidheshwar Prasad.
- All Residents of Village/Mohalla- Kewal Bigha Jhaugh, P.S.- Bakhtiyarpur,
District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. Director, Primary Education, Bihar, Patna.
4. Director, Welfare Department, Bihar, Patna.
5. District Magistrate, cum Collector, Patna.
6. District Development Commissioner, Patna.
7. District Education Officer, Patna.
8. District Programme Officer, Patna.
9. Subdivisional Education Officer, Barh, Patna.
10. Block Education Officer, Bakhtiyarpur, Patna.
11. Senior Superintendent of Police, Patna.
12. City Superintendent of Police, Patna in-charge Bakhtiyarpur.
13. Subdivisional Officer, Barh, Patna.
14. Block Development Officer, Bakhtiyarpur, Patna.
15. Officer-in-charge, Bakhtiyarpur, Police Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr. Advocate
	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Md. Raisul Haque- S.C.-10

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 03-04-2025

Heard learned counsel for the petitioners and

learned counsel for the State.



2. This application is being filed for the following reliefs:

(a) Either middle school be opened and started over the lands donated by the ancestors of the petitioners such as Khata no. 125, Plot no. 965, Area 18 3/4 decimal, Khata no. 128, Plot no. 966, Area 12 1/2 decimal, Khata no. 128, Plot no. 966, Area 3 1/8 decimal, and Khata no. 128, Plot no. 966, Area 4 decimal by a registered deed dated 02.04.1973 executed in favour of his Excellency the Governor of Bihar through, B. D. O., Bkhatiyarpur or the lands be released and returned back to the petitioners in the proportion of donation made by their ancestors as aforesaid.

(b) Alternatively any other Governmental building establishment or installation be made over the aforesaid donated land such as Panchayat Bhawan, Community Hall, Library or drinking water installation etc. and the lands be utilized exclusively for community purpose and for public good.

(c) The respondents be directed/commanded to get the lands cleared of the encroachment made by certain anti social elements.



(d) It is alternatively prayed that if the respondents are not able to use and utilize the donated lands for any public purpose the same be returned back to the petitioners to the extent of donation made by their ancestors.

(e) Any other relief or reliefs for which the petitioners be found entitled to be granted to them.

3. Learned counsel for the petitioners fairly submits that during pendency of this writ application the encroachment over the land in question has already been removed by the authority concerned and now the State-respondents have decided to proper development of the land in question and some proposal is on the pipeline and the State-respondents have received the proposal for development of land in question and the same is active consideration of the concerned.

4. Learned counsel for the State submits that in view of the stand taken by the State-respondents the grievance of the petitioners has already been redressed and now the State is active consideration with respect to the land in question for development of the land in question.



5. In view of the aforesaid, the respondent-authority is directed to develop the land in question for public purpose.

6. With the aforesaid direction/liberty, this writ application stands disposed of.

(Rajesh Kumar Verma, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.04.2025
Transmission Date	NA

