

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9548 of 2025

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1. Bibi Sajida Begum @ Khatoon @ Sajda Khatun Wife of Late Mohammad Nayeemuddin, Resident of Mohalla - Musteum Road, Nawada Town, P.O. - Nawada, P.S. - Nawada, District- Nawada, Bihar - 805110.
 2. Mohammad Kausar Ali, Son of Late Naimuddin @ Late Mohammad Nayeemuddin, Resident of Mohalla - Musteum Road, Nawada Town, P.O. - Nawada, P.S. - Nawada, District- Nawada, Bihar - 805110.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The Sub-Divisional Officer, Nawada Sadar, Nawada.
4. The Circle Officer, Nawada.
5. The SHO, Nawada Sadar, Nawada.
6. Mohammad Yusuf, Son of Mohammad Ishaque, resident of village- Pihara, P.O. and P.S. - Gowan, District- Giridih, at present residing at Revenue Village Gondapur (Now part of Nawada Town), P.O. and P.S. and District- Nawada.
7. Mustaque Alam, Son of Mohammad Ishaque, resident of village- Pihara, P.O. and P.S. - Gowan, District- Giridih, at present residing at Revenue Village Gondapur (Now part of Nawada Town), P.O. and P.S. and District- Nawada.
8. Mohammad Isetyaq Alam, Son of Mohammad Ishaque, resident of village- Pihara, P.O. and P.S. - Gowan, District- Giridih, at present residing at Revenue Village Gondapur (Now part of Nawada Town), P.O. and P.S. and District- Nawada.
9. Mohammad Ishar, Son of Mohammad Ishaque, resident of village- Pihara, P.O. and P.S. - Gowan, District- Giridih, at present residing at Revenue Village Gondapur (Now part of Nawada Town), P.O. and P.S. and District- Nawada.
10. Mohammad Islam, Son of Mohammad Ishaque, resident of village- Pihara, P.O. and P.S. - Gowan, District- Giridih, at present residing at Revenue Village Gondapur (Now part of Nawada Town), P.O. and P.S. and District- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Muskan Singh, Advocate
For the Respondent/s : Mr. Sunil Kumar Mandal, SC-3

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY



ORAL ORDER

2 23-06-2025 Learned counsel for the petitioner submits that she will be depositing Rs. 100/- to the Patna High Court Legal Services Committee in course of the day and shall be filing the receipt in the Office.

2. Heard Ms. Muskan Singh, learned counsel for the petitioner and Mr. Sunil Kumar Mandal, SC-3 representing the State.

3. The present petition has been preferred for the following relief(s):

“i For issuance of a writ in the nature of mandamus for directing and commanding the respondents to ensure and restrain the private respondent no.-5 to not demolish and further not make any construction upon the land in question bearing Khata No.- 609, Plot No.- 2999.

ii. For also directing and commanding the respondents specially Respondent No.-5 to take appropriate legal action against the private respondent so that physical features may not be disturbed as Title Appeal Suit No.- 9/2018 is pending in the Court of Learned Additional District and Sessions Judge-I, Nawada for final



hearing.

iii. For any other relief/reliefs for which the petitioner may be found legally entitled in the facts and circumstances of the case.”

4. Learned counsel for the petitioner submits that a Title Appeal is pending, the same is not been taken to its logical conclusion and in between, the Station Head Officer of the Nawada Sadar, Nawada (Annexure-5) namely, Niranjana Singh took the matter in his own hand and at his behest, the private respondents has taken the law in its own hand.

5. Upon query, learned State counsel submits that in a civil matter between the two individuals, the Police has no role to play.

6. At one point, this Court wanted to summon the S.H.O. Nawada Sadar, Nawada as to how he has jumped into the dispute between the two private individuals. However, upon submission of the learned State counsel that he shall be informing the S.H.O. in the matter, the Court refrains from doing so cautioning him to be careful in future.

7. Since the grievance of the petitioner is that the Title Appeal Suit No. 9/2018 is not being taken to its logical conclusion despite the same having been filed in the year 2018,



it is high time that the concerned Court takes up the matter including any interim petition preferred by the petitioner and the same should be taken to its logical conclusion at an earliest preferably by the end of this year.

8. The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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