

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12282 of 2025

-
-
1. Ramashish Ray Son of Rupan Ray, Resident of Village- Senduriya Ward No. 01, Police Station- Bairgania, District - Sitamarhi- 843313.
 2. Madhu Kumari, Wife of Amit Kumar Patel, Resident of Village- Sinduriya, Ward No. 1, Bairganiya, Police Station - Bairganiya, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
4. The Commissioner, Tirhut Division, Muzaffarpur.
5. The District Magistrate, District- Sitamarhi.
6. The Sub-Divisional Officer, Sitamarhi Sadar Sub-Division, District- Sitamarhi.
7. The Land Reforms Deputy Collector, Sadar, Sitamarhi, District- Sitamarhi.
8. The Circle Officer, Bairaganiya Circle Office, District- Sitamarhi.
9. The Circle Inspector, Circle Office, Bairaganiya, District- Sitamarhi.
10. The Revenue Clerk, Halka Nagar Parishad Bairaganiya Mauza Bhakurahar, Thana No.3, Circle Office, Bairaganiya, District- Sitamarhi.
11. Kiran Devi, W/o Late Shankar Prasad, Resident of Mohalla - Abkari Chowk Bairaganiya, P.S. Bairaganiya, District- Sitamarhi.
12. Binod Kumar, Son of Late Vishwa Mohan Bahadur (as per sale deed), Resident of House No. 1524 Exhibition Road near Brindaban Nursing Home Salimpur Ahra, District- Patna.
13. Amit Kumar, Son of Late Rajendra Singh, Resident of village- Sonar, P.S. Riga, District- Sitamarhi.
14. Uday Pratap, Son of Late Rajendra Singh, Resident of 39 E, Singh Billa, Tiwary Gali Galexia Mall Madhukam Hehal, Ranchi, Jharkhand.
15. Smt. Seema Singh, W/o Amit Kumar, Resident of Madhukam Tiwary Lane Near Cinema Halla, Ratu Road, Hehal, Ranchi, Jharkhand, Permanent Resident of Village- Sonar, P.S. Riga, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr.Advocate General



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

Date : 19-09-2025

None appear for the petitioners.

2. In the instant petition petitioners have prayed for the following reliefs:

“(i) For issuance of a writ in the nature of mandamus directing and commanding the respondent authorities to enquire the matter with regard to the succession mutation of two persons namely, Kiran Devi and Binod Kumar for the same land i.e. Khata No.364, Plot No.42,45,46, 54, 55, 65, 66, 67, 68, 70, 71,74,86,87,90,140,146,147, Area altogether 2 Acre 86 decimal, Khata No.365, Plot No.263, 367, 370, 371, 375, 383, 384, 385, 458, 514, 532, 533, 534, 536, 547, 548, 550, 552, 553, 555 570, 571, 577, 579, Area altogether 4 Acre 46 decimals. As such the both Khata of Area 7 Acres 32 decimals situated under Mauza Bhakurahar, Thana No.3 under Circle Office Bairaganiya, District-Sitamarhi which have wrongly mutated in favour of Kiran Devi (Respondent No.11) and subsequently again mutated in favour of Binod Kumar (Respondent no.12), Kiran Devi (Respondent No.11) get the



compensation Rs.1,68,60,374/- of land acquisition for Bharat-Nepal Border Road. Thereafter without recovery the aforesaid land again mutated in favour of Binod Kumar (Respondent No.12) and who have sell about 75 percent land out of aforesaid 7 Acres 32 decimals to the Respondent No.13 to 15 and after enquiry the land in question found not relates to Respondent Nos. 11 and 12 then the same declared state property and use for public purpose.

(ii) For issuance of a writ/writs, order/orders, direction/directions to recover the public money which has been paid to Kiran Devi in the name of Land Acquisition.

(iii) For issuance of a writ in the nature of Mandamus directing and commanding the respondent authorities to cancel entire succession mutation which has been created in favour of Respondent Nos.11 and 12 and Respondent No.13 to 15 as well as the sale deed executed in favour of Respondent Nos.13 to 15 declare null and void.

(iv) To grant any other relief/reliefs to which the petitioner may be found entitled to in the facts and circumstances of the case.”

3. Perusal of the reliefs sought in the present petition it reveals that there are disputed issues among the petitioner and



contesting respondents, therefore, petition would not fall under the purview of Public Interest Litigation, accordingly, petition stand dismissed with cost of Rs.5000/-(Five Thousand). Cost shall be remitted in the Lawyers’ Association Welfare Benevolent Fund, Indian Bank, Branch-LNMI, Bailey Road, Patna, IFSC No. IDIB000L501 having Bank Account No. 7801893276 within a period of eight weeks.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Prakash Narayan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.09.2025
Transmission Date	NA

