

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11989 of 2025

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Ratnesh Kumar Verma Son of Ram Kumar Verma @ Jhunnilal Verma
Resident of Vilalge-Chainpur, P.S.-Nagra, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar at Patna.
2. The Principal Secretary, Revenue and Land Reforms Dept. Bihar at Patna.
3. The Collector, Saran at Chhapra
4. The Additional Collector, Saran at Chhapra
5. The Deputy Collector Land Reforms, Nagra, District-Saran
6. The Anchal Adhikari, Nagra, District-Saran.
7. The Anchal Amin, Nagra, District-Saran.
8. The Officer Incharge, P.S. Nagra, District-Saran.
9. The Gram Panchayat Raj Narga through its Mukhiya, District-Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amarendra Nath Verma, Advocate
For the State	:	Ms. Sushmita Sharma, AC to SC-9

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2025 Heard Mr. Amarendra Nath Verma, learned counsel

for the petitioner and Ms. Sushmita Sharma, learned AC to SC-

9.

2. The present petition has been preferred for the
grant of following relief(s):

*“for issuance of a writ in the nature of
prohibition stopping the construction of
PANCHAYAT/VIVAH BHAWAN or playground
of the village on the part of the land*



appertaining to Mauja-Chainpur, Thana No.387, Khata No.92, Khesra No.175 Area 19 Katha 7 Dhur duly settled by the ex-land lord, purchased from the settlee by the petitioner's grandfather Raghaw Prasad followed by receipt issued and even return duly submitted by Ex-Landlord but even Jamabandi No.162 opened by the state of Bihar in his favour that has been running in his name and the petitioner has been possessing the said land till the present moment and has been paying rent to the state of Bihar against issuance of proper rent-receipts by the revenue-authorities and further for a writ in the nature of mandamus commanding the respondents to shift the project of Panchayat/Vivah Bhawan and playground to some other suitable government land; to take stern action against the erring respondents and for all order/s or directions.

3. It is is the claim of the petitioner that the land belongs to him on which the government is constructing Panchayat Bhawan/Vivah Bhawan. Though not recorded in the petition, it is the submission of the petitioner that actually it is a



pond in which he has got the fishing right also but filling the same Panchayat Bhawan/Vivah Bhawan is in the pipeline of the government. They have also taken steps for cancellation of Jamabandi.

4. Learned State counsel on the other hand submits that such dispute cannot be decided before the Writ Court, the petitioner has to show his bonafide before an appropriate authority.

5. This Court is in agreement with the submissions put forward by the learned State counsel. The Collector, Saran at Chapra (respondent no.3) being the head of the district is the competent authority to look into the entire matter and come to a definite conclusion after noticing/hearing all the parties/stakeholders.

6. So far as the contention of the petitioner that it is a pond which intend to fill to construct Panchayat Bhawan/Vivah Bhawan, if the said contention is correct, it is disturbing news for the State in general and the people around the area in particular. We are losing natural flora and fauna due to rapid urbanization in which the importance of pond in that area can not be ignored.

7. Thus the Court observes that even if the Collector,



Saran at Chapra comes to a conclusion that the land belongs to the government, he/she cannot change the flora and fauna of that area and pond if present will not be filled for the construction of the Panchayat Bhawan/Vivah Bhawan for which any other land can be taken into account.

8. However, if the pond is not there and the statement is incorrect, the State is free to construct the building if they come to the conclusion that the land belongs to the government.

9. Learned counsel for the petitioner submits that he shall be preferring a petition before the Collector, Saran at Chapra (respondent no.3) within a period of four weeks.

10. Learned State counsel submits that once it is preferred, the same shall be taken to its logical conclusion after noticing every one and hearing the parties.

11. In that background, the writ petition stands disposed of allowing the petitioner to approach the respondent no.3, the Collector, Saran at Chapra who shall after noticing all the concerned will take the matter to its logical conclusion preferably by 31st December, 2025 if the petition is preferred in next four weeks. This Court reiterates that on the day, this order is being passed (28.07.2025) if the Pond is existing, its status shall not be changed.



12. Any development that may take place in between shall be subject to the final outcome of the order passed by the Collector, Saran at Chapra.

13. It is again made clear that if the Collector, Saran at Chapra after enquiry comes to a conclusion that the land in question is a pond, whether it is of the petitioners or the government, it cannot be filled and no construction shall be made on the said land.

14. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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