

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14240 of 2025

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Kishun Mahto, Son of Somar Mahto, Resident of Village- Sipah, P.S.- Deep
Nagar, District- Nalanda. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Land Reforms Department, Government of Bihar.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, Nalanda at Bihar Sharif, Nalanda.
5. The Superintendent of Police, Nalanda at Bihar Sharif.
6. The Sub-Divisional Officer, Nalanda at Bihar Sharif.
7. The SHO, P.S.- Bihar Sharif, District- Nalanda.
8. The Circle Officer, Bihar Sharif, District- Nalanda.
9. The Principal Secretary, Public Works Department, Govt. of Bihar.
10. The Regional Manager, the National Highways Authority of India, 4, Patliputra Colony Road, Block - A, Patliputra Colony, Patna, Bihar.
11. The Project Director, National Highways Authorities of India, Bihar, Patna.
12. Sharwan Kumar, Son of Raj Kishore Prasad, Resident of village- Chak Rasalpur, P.O.- Rana Bigha, P.S- Deep Nagar, District- Nalanda.
13. Sunny Kumar, Son of Raj Kishore Prasad, Resident of village- Chak Rasalpur, P.O.- Rana Bigha, P.S- Deep Nagar, District- Nalanda.
14. Guddu Kumar, Son of Lakhan Chaudhary, Resident of village- Chak Rasalpur, P.O.- Rana Bigha, P.S- Deep Nagar, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Ojha, Advocate Mr. Ved Prakash Chandan, Advocate
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate Mr. Gaurav Govinda, Advocate Ms. Preety Ranjan, Advocate
For the State	:	Mr. Yogendra Pd. Sinha, AAG-07

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-09-2025 The instant writ application has been filed by the

petitioner under Article 226 of the Constitution of India, mainly

seeking the following relief :-

“ That the instant writ application is being



filed for issuance of writ of mandamus commanding the respondents to remove an illegally constructed Mahavir Temple obstructing the front road of house, Hospital and Shops of the petitioner. The said house, hospital and shops have been constructed over the petitioner land bearing Khesra No. -96 and 97, Khata No. 133, Mauza, Sipah, Thana No. -94, Deepnagar, District- Nalanda.”

2. Mr. Sanjay Kumar Ojha, learned counsel appearing for the petitioner submits that there is a Hindu temple which has come in the middle of road and the same was constructed by the respondent 2nd set, i.e, respondent nos. 12 to 14 in connivance of the officers of the National Highways Authority of India in front of the petitioner's house and due to this reason, the passage of petitioner's house has been blocked. In this regard, the petitioner has filed a written application to the Circle Officer, Biharsharif to take action on the said issue but nothing was done, thereafter, petitioner sent a representation on 07.03.2024 to the Chief Secretary, Government of Bihar and others raising his grievance, after that sent another representation dated 02.05.2025 to the Principal Secretary Public Works Department, Government of Bihar, Patna but all went in vain and finally the petitioner has approached to this Court. It is further submitted that the petitioner has also filed a representation to the Regional Manager, NHAI, upon which, a



report has also been called for and in this regard, Annexure-P/6 may be perused.

3. Heard learned counsel appearing for the petitioner and learned counsel for the NHAI.

4. The petitioner has not made out a case for invoking the writ jurisdiction of this Court as petitioner's main grievance regarding the alleged illegal construction of a particular temple in front of his house allegedly obstructing his passage requires detailed evidences and further, petitioner has sufficient and efficacious other legal remedies to redress his issue by filing civil suit/case before the concerned court/authority.

5. Accordingly, the instant writ petition stands rejected.

(Shailendra Singh, J)

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