

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17958 of 2025

Shiv Shankar Prasad Son of Late Matar Mahto, Resident of Village- Ghat
Kushumbha, P.O.- Dis Kushumbha, P.S.- Baughat, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna, Bihar.
3. The Managing Director, Bihar State Pul Nirman Nigam Limited, Government of Bihar, Patna, Bihar.
4. The District Magistrate, Sheikhpura District.
5. The District Land Acquisition Officer, Sheikhpura District.
6. The Block Development Officer, Ghat Kushumbha Block, Sheikhpura.
7. The Circle Officer, Ghat Kushumbha Circle, Sheikhpura.
8. Gaya Dhobi, Son of Late Bhado Dhobi, Resident of Village- Ghat Kushumbha, P.O.- Dis Kushumbha, P.S.- Baughat, District- Sheikhpura.
9. Narsingh Mahto, Son of Late Banwari Mahto, Resident of Village- Ghat Kushumbha, P.O.- Dis Kushumbha, P.S.- Baughat, District- Sheikhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar, Advocate
For Pul Nigam : Mr. P.K. Shahi, Sr. Advocate
Mr. Vikas Kumar, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 04-12-2025 The writ application has been filed for following



relief:

“1. That the present writ petition is being filed by the petitioner in a shape of Public Interest Litigation for a direction to the respondent authorities to remove the encroachment made on the land acquired by the Bihar Rajya Pul Nirman Nigam Limited at Mauza - Chour Kushumbha bearing Thana No. 202, Khata No. 02, Khesra No. 3860 and total Area 32 Decimal, which has been encroached by the villagers illegally and action may be taken against the Respondent No. 7, the Circle Officer, Ghat Kushumbha Circle, Sheikhpura who mutated the acquired land in favour of Respondent No. 9 namely Narsingh Mahto illegally.”

2. From perusal of the record, it appears that the land in question, over which a road existed, had been acquired by the State Government. Subsequently, in respect of the said land, a sale deed was executed by respondent No. 8 in favour of respondent No. 9, and on the basis of that sale deed, mutation was also executed in the name of respondent No. 9.

3. The Court in Public Interest Litigation matters cannot examine the validity of the sale deed in question, nor it can scrutinize the mutation effected in favour of respondent No. 9 on the basis of the said sale deed executed by respondent No.8.



4. We, therefore, find no merit in the present writ application and the same is disposed of with liberty to the petitioner to seek appropriate remedy in accordance with law.

5. Pending application(s), if any, shall stand disposed of.

(Sudhir Singh, ACJ)

(Alok Kumar Pandey, J)

Nilmani/
Anushka-

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