

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16135 of 2025

Umesh Mandal (Karta of the family) Son of Late Vishwanath Mandal,
residency of Village-Madhuwan, Post Office-Chakmahila, Police Station-
Punaura District-Sitamarhi. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
 2. The District Magistrate, Sitamarhi.
 3. The Superintendent of Police, Sitamarhi.
 4. The Sub Divisional Officer, Sadar, Sitamarhi.
 5. The Circle Officer, Sadar Block, Sitamarhi.
 6. The Executive Officer, Sitamarhi Municipal Corporation, Sitamarhi.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Kumar, Advocate
For the Respondent/s	:	Mr.Sanjay Kumar Tiwari, AC to GA-11
For respondent no.6	:	Mr. Surendra Kumar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-11-2025 Heard Mr. Shashi Bhushan Kumar, learned counsel
for the petitioner, the State beside learned counsel for the
Municipal Corporation, Sitamarhi.

2. The present petition has been preferred for the
following relief/s:

*(i) for issuance of a writ in the nature of
Mandamus, commanding the respondents
not to proceed with or carry out any
construction of Government buildings upon
the Raiyati land of the petitioner bearing
Khata no. 111, Khesra No. 865, Rakawa 1
Katha, situated at Madhuwan near Brahma
Thakur. Sitamarhi, as the said construction*



was commenced on 07.09.2025 without acquisition of the land in accordance with law and without payment of compensation to the petitioner;

(ii.) for issuance of a writ in the nature of Mandamus, directing the respondents to remove encroachment including building materials upon the petitioner's aforementioned Raiyati land;

(iii) for issuance of appropriate writ for restraining the respondent for the further construction of the Government Building upon the Raiyati land of the petitioner;

(iv) for any other relief(s) as this Hon'ble Court may deem fit and proper in the fa.

3. The claim of the petitioner is that the land was purchased by his mother, Meena Devi in the year 1980 having rent receipts but the Government is trying to construct building upon the raiyati land.

4. Learned State Counsel as also learned counsel representing the Municipal Corporation have submitted that the facts/links are missing in the case inasmuch as the claim of



purchase is of the year 1980 but the first rent receipt was issued in the year 2018. The lady was blessed with three sons inasmuch as beside the petitioner, Naresh Mandal and Ganesh Mandal are also there but they are neither the petitioner nor the respondent.

5. Learned counsel for the petitioner submits that being 'Karta' of the family, he has approached the Court, in any case with all the supporting documents, he intends to approach the Collector, Sitamarhi (respondent no.2) for the redressal of the grievance.

6. Neither the State nor the Municipal Corporation has/have any objection.

7. In that background, the writ petition is disposed of allowing the petitioner to approach the respondent no.2, the Collector, Sitamarhi in next four weeks and if such petition alongwith the supporting documents are filed, the concerned respondent shall be noticing all the relevant parties and shall be passing an appropriate order at an earliest.

(Rajiv Roy, J)

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