

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17409 of 2025

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Amar Nath, Son of Late Vijay Sao, Resident of - Tulsi Mandi, Gulzarbagh,
P.S.-Aalamganj, Patna City, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through District Magistrate, Patna, District-Patna.
2. Commissioner, Patna Municipal Corporation, Patna.
3. Executive Officer, Patna Municipal Corporation, Bankipur Anchal, Patna.
4. Sub Divisional Magistrate, Patna Sadar, Patna.
5. District Land Acquisition Officer, Patna.
6. Circle Officer, Sadar, Patna.
7. District Collector Land Reforms, Patna.
8. Chief Secretary, Bihar, Patna.
9. Principal Secretary, Revenue and Land Reforms, Bihar, Patna.
10. Senior Superintendent of Police, Patna.
11. Officer Incharge, Kadamkuan Police Station, Kadamkuan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Sinha, Adv.
For the State	:	Mr. Rajesh Kumar, AC to GP-3
For the PMC	:	Mr. Prasoon Sinha, Sr. Adv.
		Mr. Prabhat Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-11-2025 The instant writ petition has been filed by the

petitioner under Article 226 of the Constitution of India, seeking

the following reliefs :-

*(A) For commanding and directing the
respondents for taking necessary step/steps for
stopping ongoing construction work and removing
the constructed structure over the purchased land
measuring area 64.376 Dismil of the petitioner which
is situated at Mauza- Kazipur, bearing Thana no -4,
Sheet no - 77, Ward No - 12. Bounded as North-*



Shakha Field, South- Nizi Sampati, East Rajendra Nagar Eye Hospital, West Road. This land was purchased by ancestor of the petitioner in the year 1941 through registered sale deed bearing no 1318 from the rightful owner of the land.

(B) For commanding and directing the respondents for taking all necessary step/steps for giving the possession of the land measuring area 64.376 Dismil to petitioner which is situated at Mauza Kazipur, bearing Thana no - 4, Sheet no77, Ward No - 12. Bounded as North - Shakha Field, South - Nizi Sampati, East - Rajendra Nagar Eye Hospital, West – Road.

(C) For granting any other relief/reliefs for which the petitioner is entitled to under the present facts and circumstances of the case.

2. Mr. Sanjeev Kumar Sinha, learned counsel for the petitioner, Mr. Rajesh Kumar, learned AC to GP-03 for the State-respondents and Mr. Prasoon Sinha, learned senior counsel for the Patna Municipal Corporation (PMC), are present and they are heard.

3. The main grievance raised by the petitioner in this writ petition is that the petitioner has been dispossessed from his legally purchased ancestral land by the State of Bihar through the District Magistrate, Patna (respondent No. 1) and for redressing his grievance, he has approached to the Government authorities by filing several representations on 08.09.2025 but all went in vain. It is submitted by petitioner's counsel that the



petitioner's ancestors, namely, Jethu Sao, Jitu Sao, Raghuni Sao and Bihari Sao, had purchased the land in question from the landlords namely Sayed Md. Vahib Husain Kha @ Syed Manjhale Nawab Rizwi and Mostt. Ajmatun Nisha through registered sale deed bearing No. 1318 in the year 1941 and the petitioner's grandfather got 2 acres 93 decimals of land in his share from his brothers. Thereafter, the name of the petitioner's grandfather got mutated in the Government *serista* and he paid rent of the land regularly to the Government. On 03.09.2025, the Government Officials with the help of police and on the direction of the Executive Magistrate, Law and Order, Sadar, Patna, illegally took possession of the petitioner's land measuring 64.376 decimals by removing huts of several individuals without giving any prior notice to him in connection with his land.

4. After having gone through the averments made in this petition as well as having heard both the sides, this Court is of the view that the issue raised by the petitioner in this petition is premature for consideration by this Court under its writ jurisdiction. The petitioner should have approached the civil court for redressal of his grievance with regard to the allegation of his illegal dispossession by the State Government authorities



from his land. Accordingly, the instant writ petition stands disposed of, with giving a liberty to the petitioner to approach the civil court for redressal of his grievance and the time spent by him in pursuing this writ petition shall be excluded while computing the necessary limitation period, if he avails the liberty in the next four weeks.

(Shailendra Singh, J)

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