

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.800 of 2026

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ASHARFI SAW LATE TULSI SAW PIRIBAZAR P.S PIRIBAZAR
DISTRICT LAKHISARAI

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, Eastern Railway, Kolkata.
2. The D.R.M. Eastern Railway, D.R.M. Office, Malda, West Bengal.
3. The State of Bihar Through, Principal Secretary, Land and Revenue Department Bihar, Patna.
4. The District Magistrate, Lakhsarai.
5. The Sub-Divisional Officer, Lakhisarai Sadar, District- Lakhisarai.
6. The Superintendent of Police, Lakhisarai.
7. The Circle Officer, Suryagarha Anchal, District- Lakhisarai.
8. The S.H.O., Piri Bazar, Police Station.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mayank Bilochan, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5
		Mr. Md. Kamil Akhtar, AC to AAG-5
For the UOI	:	Mr. Krishna Kant Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-01-2026 Heard the parties.

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

*“(i) for issuance of an appropriate writ
commanding the respondents not to construct the
Railway under pass, over the land of the petitioner
which is Raiyti/Purchased land of the petitioner.*

(ii) For issuance of an appropriate writ



restraining the respondents not to make any interference in the peaceful possession of the petitioner.

(iii) For issuance of an appropriate writ commanding the respondent to first acquire the land under the provision of land acquisition act and pay the compensation or vacate the land of the petitioner.

(iv) For any other relief or reliefs for which petitioner is entitled.”

3. Learned counsel for the petitioner submits that the land belongs to him but the Railways without compensation, have decided to use the said land for the construction of Railway Under Pass.

4. Learned counsel representing the Union of India submits that the writ petition is bereft of supporting documents.

5. Learned counsel for the petitioner submits that it will suffice if the fresh petition preferred before the General Manager, Eastern Railways, Kolkata (respondent no. 1) is taken to its logical conclusion.

6. Learned counsel representing the Union of India has no objection to it.



7. In that background, the writ petition stands disposed of allowing the petitioner to approach the concerned respondent in next four weeks. If such fresh petition is preferred in next four weeks, the concerned respondent is directed to take the matter to its logical conclusion at an earliest.

(Rajiv Roy, J)

Adnan/-

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