

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2000 of 2025

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1. Prahalad Rai Teachers Training College, Tiyyara Tiyyara Bazar, P.O.- Manoharpur, P.S.- Rajpur, District Buxar through its Secretary -cum- Managing Trusty - cum- Sanchalak, Manoj Kumar, Son of Sri Rameshwar Pandey, Resident of Shiv Puram, Lane No.- 2, Mohalla - Vijay Nagar, Bailey Road, P.O. - P.V. College, P.S. - Rukanpura, Patna.
 2. Manoj Kumar, Son of Sri Rameshwar Pandey, Resident of Shivpur, Lane No.- 2, Vijay Nagar, Bailey Road, P.O. - P.V College, P.S. - Rukanpura, Patna- 800015.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Buxar.
3. The Superintendent of Police, Buxar.
4. The Sub-Divisional Officer, Buxar.
5. The Block Development Officer, Rajpur, Buxar.
6. The Circle Officer, Rajpur, Buxar.
7. The S.H.O., Rajpur Police Station, Buxar.
8. Santosh Kumar Rai, Son of Late Prahlad Roy Resident of Village- Tiyyara, P.O.- Manoharpur, P.S.- Rajpur, District - Buxar.
9. Mosmat Bimla Devi, Wife of Late Prahlad Roy Resident of Village- Tiyyara, P.O.- Manoharpur, P.S.- Rajpur, District - Buxar.
10. Smt. Fulwanti Devi, Wife of Sri Sheoji Rai and Daughter of Late Prahlad Roy, Resident of Village and P.O.- Awathahi, P.S.- Mathahi, District- Gajipur, Uttar Pradesh.
11. Chandrabala Devi, Wife of Sri Indrajeet Rai and Daughter of Late Prahlad Roy, Resident of Village- Lakshmanpur, P.O.- Surahi, P.S.- Narahi, District - Baliya, Uttar Pradesh.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar, Advocate
For the Respondent/s	:	Mr.Binay Kumar Singh, Advocate
For the State	:	Mr.Sanjay Kumar, AC to Ex- GA-13

CORAM: HONOURABLE MR. JUSTICE VIKASH KUMAR
ORAL ORDER

3 06-07-2026 Heard Shri Praveen Kumar, learned Advocate for the

petitioners, Shri Sanjay Kumar, learned AC to Ex-GA-13 and



Shri Binay Kumar Singh for the respondent no. 9 to 11.

2. The petitioners in the present writ application have prayed for the following reliefs:-

(i) For direction upon the State Respondents to take immediate and appropriate legal action in accordance with law to ensure possession remains with the Petitioner/s which is likely to be disturbed in the garb of Order dated 28.06.2024 passed in Title Suit No.6/2024 and decreed on 09.07.2024 in absence of the Petitioner/s without their representation, who have acquired the right, title, interest and possession over the land bearing Khata No.134, Khesra No.424, Rakba -81.25 decimals, situated at Mauza - Tiyara, Thana No. 171, Circle Rajpur, District Buxar by way of a Registered Deed of Gift dated 14.09.2015 and subsequently the building of the said Prahalad Rai Teachers Training College Tiyara constructed on the said land, which was gifted to the Petitioner No.2 with intended purpose by the Respondent No.8, in consent with the other Private Respondents, for opening / establishing the said College in the name of his father late Prahalad Rai.

(ii) For grant of Police protection to the Petitioner/s to ensure protection of the life and personal property from the said Private Respondents, who are notorious persons, acting in connivance, though the Respondent No.8 was the Plaintiff and Respondent No.9 to 11 were Defendants in the said Title Suit No.6/2024, having conflicting interest, are threatening the Petitioner No.2 since long and there is apparent apprehension of harm to the Petitioner/s in the facts and



circumstances of the case mentioned hereinbelow.

(iii) For staying the operation/execution of the Order dated 28.06.2024 passed in Title Suit No.6/2024 in the larger interest of the public / student of the said college which has been constructed by the Petitioner No.2 on the basis of intended purpose of the Donor and in view of the fact that the said order has been passed at the back of the Petitioners, where the Petitioner No.1 though was the necessary party was not even made a party in the said Title Suit and the Petitioner No.2, who is not proper party was made Defendant No.2, who unfortunately even did not receive any notice and could not participate in the trial of the said Suit.

3. From the reliefs prayed hereinabove, it is clear that the petitioners have prayed for staying the operation/execution of the impugned order dated 28.06.2024, passed in Title Suit No. 6/2024 and decreed on 09.07.2024 on apprehension of their dispossession from the land in question.

4. On being confronted, the petitioners have failed to address the issue of maintainability of the present writ application and in course of present proceeding admits that Miscellaneous Case No. 75/2025 has been filed by them on 16.01.2025 and subsequently have furnished a copy of the case status, which indicates that the matter was first heard on 24.01.2025 and next hearing date was fixed on 10.07.2026.

5. Be that as it may, the appropriate remedy lies



before the learned court below of competent jurisdiction and the present writ application is mis-conceived.

6. Accordingly, the present writ application is dismissed in *limine*.

(Vikash Kumar, J)

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