

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2997 of 2026

Md. Rustam Ali, aged about 58 years, Male, S/o Md. Eanu, resident of Village- Deogaon, Bharri, P.S- Kadwa, Dist.- Katihar, Bihar- 855105.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
5. Deputy Director, Panchayati Raj, Purnea Division, Purnea.
6. The Director, Primary Education, Govt. of Bihar, Patna.
7. The District Magistrate, Katihar.
8. The District Panchayati Raj Officer, Katihar.
9. The Sub-Divisional Officer, Katihar.
10. The Block Development Officer, Kadwa, Katihar.
11. The Block Panchayati Raj Officer, Kadwa, Katihar.
12. The Circle Officer, Kadwa, Katihar.
13. The Primary School, Devgaon, Gram-Panchayat- Bharri, P.S. and Block- Kadwa, District- Katihar, through Headmaster.
14. The Panchayat Secretary, Bharri Gram-Panchayat, PO- Bharri, P.S and Block- Kadwa, District- Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mohammad Akhter Hussain, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC 26
		Mr. Santosh Kumar Mishra, AC to SC 26

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-03-2026 Heard learned counsel for the parties.

2. This writ application has been filed for the following relief(s):



- “(i) *For issuance of writ in the nature of Mandamus or any other appropriate writ for commanding the respondent authorities to demolish the construction of the Government Primary School, Devgaon, which has been constructed in the land of petitioner; pertaining to Khata No.92, Khesra No.554, Rakba-34 Dec.; Thana No.272; Mauja-Devgaon; without his permission and consent.*
- (ii) *For issuance of writ in the nature of mandamus or any other appropriate writ for commanding the respondent authorities to call for the administrative order passed by the concerned authority whereby the administrative order has been passed for constitution of the Government Primary School, Devgaon, and further be pleased to issue of the writ in the nature Certiorari to quash the same.*
- (iii) *For issuance of writ in the nature of Mandamus or any other appropriate writ for commanding the respondent authorities to take the action including the criminal case against the respondent authorities who have ordered to construct the building of the Primary Govt. School upon the aforesaid land of the petitioner.*
- (iv) *For issuance of any other appropriate writ(s), order(s) or direction(s) which your Lordships may deem fit a proper in the facts and circumstances of the case.”*

3. Having regard to the nature of grievance of the petitioner, with consent of counsel for both sides, this writ application is disposed of with a direction to the petitioner to file a fresh detailed representation annexing all the relevant documents before the respondent no.7 i.e., the Collector, Katihar, within a period of three weeks. If such a representation



is filed before the respondent no.7, the same shall be disposed of by a speaking order by the respondent no.7 within a period of two months from the date of filing of such representation. Any order passed on the representation of the petitioner shall be communicated to the petitioner.

4. This writ application is, accordingly, disposed of with the aforesaid direction.

(Khatim Reza, J)

J. Alam/-

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