

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4477 of 2026

1. Abhinav Son of Parmeshwar Prasad Yadav resident of Village- Hasanpura, P.S. Marhourha, District Saran at Chapra. At present R/o Bhabha Colony, Hanuman Nagar, P.S. Patrakar Nagar, District- Patna.
2. Rohan Kumar Son of Parmeshwar Prasad Yadav resident of Village- Hasanpura, P.S. Marhourha, District Saran at Chapra. At present R/o Bhabha Colony, Hanuman Nagar, P.S. Patrakar Nagar, District- Patna.
3. Usha Kanti Wife of Parmeshwar Prasad Yadav resident of Village- Hasanpura, P.S. Marhourha, District Saran at Chapra. At present R/o Bhabha Colony, Hanuman Nagar, P.S. Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department (RCD), Vishveshvaraiya Bhawan, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate-cum-Chief Revenue Officer, Patna.
4. The Additional Collector, Patna
5. The Executive Engineer, RCD West Division, Patna.
6. The Sub-Divisional Magistrate, Danapur, Patna.
7. The Circle Officer, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Kumar Singh, Advocate
For the State	:	Mr. Anjani Kumar, Sr. Advocate (AAG-4)
		Mr. Alok Kumar Rahi, AC to AAG-4

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 20-07-2026 Heard Mr. Brajesh Kumar Singh, learned counsel for the petitioner and Mr. Anjani Kumar, learned Additional Advocate General duly assisted by Mr. Alok Kumar Rahi representing the State.

2. The present petition has been preferred for the grant



of the following relief(s):

(i) to issue an appropriate writ, order, or direction, particularly a Writ of Mandamus, directing the Respondents to immediately stop the illegal construction of a drainage system being carried out by RCD contractors on the private land of the Petitioners situated at Gola Road, Mouza- Jalalpur, Thana No. 22, Khata No. 158, Plot No. 70.

(ii) for further issuance of an appropriate writ, order, or direction, specifically commanding Authorities to the Respondent conduct a fresh measurement and demarcation of the subject land appertaining to Plot No. 70, Mauja- Jalalpur, Thana No.- 22, strictly in accordance with the Original Map which is in the custody of the Settlement Officer, Gulzarbagh, Patna. This direction is necessitated by



the fact that the measurement report itself material discrepancy of approximately 3 to 12 feet between the Digital Map of the Circle Office and the Map obtained from Gulzarbagh, thereby requiring the authoritative Original Map admits a to settle the identity of the land conclusively.

(iii) to restrain the Respondents from encroaching upon the 13.5 feet front portion of the land which the Petitioners had lawfully set aside for private parking and plantation.

(iv) During the pendency of this writ, to grant an Ad-Interim Injunction/Stay on any further construction or earth-moving activities on the subject land.

(v) for any other relief/reliefs for which the petitioners are found to be entitled in the eye of law.

3. The matter relates to the widening of the Gola Road in the district of Patna for the smooth traffic and the claim of the



petitioner is that while doing so the State respondents have tried to usurp their land.

4. In the aforesaid background, direction was given to the respondents specially the Collector, Patna to file his response is now on record and learned AAG took this Court to paragraph no. 7 to show that in the presence of the petitioner and the authorities concerned, the measurement was conducted and as per the digital map made available by the Circle Officer, Danapur, it has been found that where the width of the road from South is 378 feet and from the northern side, it is 300 feet in the part portion of Plot No. 70. It has been further found that the entire aforesaid area is within the four walls of the petitioner who is in possession.

5. The petitioners have a particular piece of land, in their presence, it has been measured and the area recorded in the revenue record has been found within their four walls and possession of the petitioner. In that background, the widening of the road at Gola Road, Patna need no interference as the entire exercise has been undertaken in the presence of the petitioners.

6. At this stage, learned counsel for the petitioners submit that they be permitted to agitate the matter if situation so arise. The said liberty is always there to anyone much less the



petitioners.

7. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

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