

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4104 of 2026

Lakhan Manjhi Son of Late Jodhi Manjhi, Resident of Village- Pura,
Pratappur, Police Station- Wazirganj, District- Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Gaya, Bihar.
3. The Additional District Collector, Gaya, Bihar.
4. The Sub-Divisional Officer, Wazirganj, Gaya, Bihar.
5. The Circle Officer, Wazirganj, Gaya, Bihar.
6. The Proprietor of Maa Netual Enterprises (Contractor), Mona Kumari, W/o- Kunal Kumar, R/O Village- Bhadseni, P.S.- Hisua, District- Nawada.
7. Pintu Singh (Sub-contractor), S/O- Paras Singh, R/O Adhma, P.S.- Wazirganj, District- Gaya, Bihar.
8. Vinod Kumar, Son of Late Brahmedev Das, Resident of Village- Pratappur, P.S.- Wazirganj, District- Gaya, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate
For the Respondent/s : Mr.Manish Kumar, GP (4)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 28-04-2026 Heard Mr.Shankar Kumar, learned counsel for the
petitioner and Mr. Manish Kumar, learned G.P.-04.

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

*(i) for Issuing a writ of Mandamus
commanding the respondents to remove the
illegal RCC Dhalal constructed over the*



petitioner's land bearing Maula Pratapur, Thana No. 397, Khata No. 29, Plot No. 1547 & 1548 or award compensation for the same;

(ii) for issuing a writ of Mandamus directing the respondents to remove encroachment from the public way bearing Mauja-Pratapur Thana No. 597, Khata No. 123, Plot No. 1545, in accordance with law and thereafter, to do RCC Dhalal on it instead of petitioner's land;

(iii) for issuing a writ of Mandamus directing the respondents to take appropriate disciplinary/legal action against erring officials responsible for illegal construction of public way on the petitioner's land;

(iv) for awarding compensation of the cost of litigation to the petitioner;

(v) for directing the respondents to fix responsibility upon erring official and take disciplinary action for dereliction of duty;

(vi) for issuing any other appropriate



*writ/order/direction that this Hon'ble Court
may deem fit and proper in the interest of
justice.*

3. At the outset, learned State counsel has pointed out that the petitioner has already preferred a representation before the Collector, Gayaji (respondent no.4) bringing on record some facts of the case.

4. Learned counsel for the petitioner submits that despite the representation filed on 09.01.2026, neither he has been noticed nor an order passed and in between the respondent nos. 6 and 7 constructed a road over the land which the petitioner claims it to be raiyati land, accordingly, a petition was preferred before the respondent authorities including the Collector, Gayaji.

5. It is unfortunate that no decision is taken forcing the petitioner to approach the Patna High Court. This Court has also taken note of the fact that the petitioner is 77 years old and a senior citizen.

6. In that background, earlier a Coordinate Bench of this Court had directed the State-respondent to file an affidavit vide an order dated 31.03.2026 but today on call, it has been informed that statement of facts has not been received.



7. In that background, instead of keeping the writ petition pending or imposing cost upon the respondents, it would be appropriate that the petitioner shall file a fresh representation before the Collector, Gayaji (respondent no.02) in next four weeks.

8. Learned State counsel submits that if such petition/representation is preferred in next four weeks by the petitioner, the same shall be taken to its logical conclusion after noticing/hearing the parties at an earliest preferably by the end of this year.

9. Needless to add that the construction which is taken place over the land in question will be subject to the final order passed by the Collector, Gayaji.

10. The writ petition is disposed of with the observation.

(Rajiv Roy, J)

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