

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5244 of 2026

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Jivachha Ray Son of Vaidyanath Ray, Resident of Village- Fakdoliya, P.O.- Kyoutgama, Block- Kusheshwar Ashtan East, PS.- Kusheshwar Asthan, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through The Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Collector cum District Magistrate, Darbhanga.
3. The District Land Acquisition Officer, Darbhanga.
4. The Executive Engineer, Road Construction Department, Road Division Benipur, Darbhanga.
5. The Circle Officer, Kusheshwar Ashtan East, District-Darbhangha.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate
For the Respondent/s : Mr. Government Pleader (20)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-06-2026 Heard Mr. Pramod Kumar Yadav as also Mr. Baidya Nath Prasad for the petitioner and Mr. Sameer Kumar for the State.

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

“(i.) A mandamus direction to the Respondent authorities to reconsider and suitably modify in the alignment of the proposed Paro-Kusheshwarasthan S.H-56 Bypass Road Project by shifting the alignment approximately 48 feet towards the eastern side from present proposed



alignment position as proposed, so as to protect the Packka residential property/structure of the petitioner situated in Thana No. 251, Khesra No. 3668 (new), Mauza-Kevatgama, Anchal-Kusheshwarasthan East, Dist- Darbhanga.

(ii.) A mandamus direction to the respondent authorities to consider the measurement report and recommendation of the local circle Amin dated 05-01-2026 while deciding the matter and direct the Respondent authorities to conduct a fresh technical evaluation of the alignment considering the availability of adjacent vacant land.

(iii.) A mandamus direction to restrain the respondent authorities to work over the land/property in question of the Petitioner till pendency of this writ petition.

(iv.) Any other writ/writs for granting any other relief/reliefs for which the petitioner found entitled in the facts and circumstances of the case.”

3. The Petitioner owns a piece of land under circle



Kusheshwarasthan in the district of Darbhanga and he is aggrieved by the decision taken by the respondents for the construction of Paro-Kusheshwarasthan State Highway 66 Bypass Road inasmuch as the contention is that if the alignment is changed to 48 feet towards eastern side, his property shall be saved.

4. Learned State Counsel has taken this Court to the order passed by the District Grievance Officer dated 20.02.2026 to show that not only the route has been approved but also it was duly recommended by the Collector, Darbhanga which followed the invitation of tender as also the process of Technical Bid Evaluation was/were initiated. The submission is that after much delay, the petitioner activated himself and stoppage of the same will hinder the development so far as the construction of the said road is concerned.

5. Learned Counsel for the petitioner submits that it is his only piece of land and it will suffice that even at this stage, the Collector, Darbhanga (respondent no. 2) looks into the matter and see to it whether there is any possibility of changing the alignment or not.

6. In view of the contention of the petitioner that this is his only piece of land and it will suffice that if the head of the



district, the Collector, Darbhanga, looks into the matter and see to it that even at this stage, whether any changes can take place, this Court is of the opinion that a chance can be given.

7. In that background, the writ petition stands disposed of allowing the petitioner to approach the Collector, Darbhanga along with the detailed representation who shall be passing an appropriate order in accordance with law.

8. It is made clear that this Court has not made any observation on the ongoing construction of the said road which as per the State Counsel is at an advance stage.

(Rajiv Roy, J)

Adnan/-

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