

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6325 of 2024

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Musafir Pandit Son of Late Chulhan Pandit, Resident of Village - Hajipur Chargarwa, Police Station - Sirdala, District - Nawada. At Present Hamidpur, Kumhartoli, P.S. Sector 19 Post, District - Sundargarh, Raurkela (Orissa).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Department of Revenue of Land Reforms, Government of Bihar.
2. District Magistrate cum Collector, Nawada.
3. The District Panchayati Raj Officer, Nawada.
4. The Executive Engineer, Local Office, Planning and Development Department, District - Nawada.
5. The Subdivisional Officer, Rajouli.
6. The Circle Officer, Sirdala, Nawada.
7. Block Development Officer, Sirdala, Nawada.
8. Mukhiya, Dhiroundh Panchayat.
9. Mohammad Rahis Kha, (contractor), Resident of Panjiyar, Par Nawada, P.S. Town Thana, District - Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Shekhar, Advocate
For the Respondent/s : Md. Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-04-2026 Heard Mr. Raj Shekhar, learned counsel for the

petitioner and the State.

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

*(i) for issuance of order/orders, Direction/
Directions Writ/Writs in the nature of
Mandamus for commanding the respondents
to restrain themselves from construction of
Panchayat Sarkar Bhawan on the rayati*



land of the petitioner..

3. The matter relates to a piece of land as recorded in paragraph-5 and is incorporated hereinbelow:

(i) thana no-91;

(ii) khata no-725;

(iii) plot No-3134;

(iv) area 1 acre 18 dismal;

*situated at Mouza Dhiroundh Hajipur,
Halka Dhiroundh, circle Sirdala,
Hajipur chrgharwa, police station -
Sirdala, District Nawada*

4. On the said land, a Panchayat Sarkar Bhawan is being constructed which led to the filing of the writ petition.

5. The counter affidavit has come on behalf of the respondents, according to which Title Suit No. 290 of 2024 is pending before a competent Civil Court at Nawada.

6. Learned counsel for the petitioner submits that on the one hand, they have taken stand that a Title Suit is pending, on the other hand they are not appearing in the said suit.

7. Learned State counsel submits that the respondents shall be putting in their appearance.

8. Having heard the parties, this Court is of the



opinion that Title Suit No. 290 of 2024 is pending before a competent Civil Court at Nawada, the same has to be taken to its logical conclusion and it would be not proper to invoke Article 226 of the Constitution of India.

9. Learned counsel for the petitioner submits that the respondents herein are deliberately not appearing in the matter. Though the learned State counsel has submitted that they shall be putting in their appearance, this Court directs the competent Civil Court to proceed in the matter and after giving sufficient opportunity to the defendant/respondent to take the matter to its logical conclusion preferably within a period of one year from today.

10. The petitioner shall be free to file appropriate petition for getting any interim order in accordance with law.

11. The writ petition is disposed of with the aforesaid observation.

12. Pending I.A., if any, stands disposed of.

(Rajiv Roy, J)

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