

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7243 of 2026

1. Dr. Rishi Kapoor, Son of Kedar Prasad, Resident of flat No. 403-B, Major Gali, Patel Path, Belly Kunj Apartment, Shekhpura, Patna, P.S.,-Phulwarisharif, District- Patna.
2. Surabhi Rathore, Wife of Dr. Rishi Kapoor, Resident of flat No. 403-B, Major Gali, Patel Path, Belly Kunj Apartment, Shekhpura, Patna, P.S.,-Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Govt of Bihar Patna.
2. The District Magistrate, Patna District, Patna.
3. The Sub-Divisional Magistrate, Sadar, Patna.
4. The Senior Superintendent of Police, Patna District, Patna.
5. The S.H.O. Digha Police Station, District Patna.
6. Anil Kumar, son of Late Tejnarayan Das, resident of Pillar No.293, Digha Nahar Road P.S. and P.O. and District- Patna.
7. Rohit Kumar, Son of Ravindra Kumar, resident of Piller No. 294, Digha Nahar Road, P.O. and P.S.- Digha, District- Patna.
8. Indrabhushan Srivastava, Son of not known, resident of Piller No. 298, Digha Nahar Road, P.O. and P.S.- Digha, District- Patna.
9. Sandeep Kumar, Son of Not Known, resident of Piller No. 298, Digha Nahar Road, P.O. and P.S.- Digha, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Virendra Kuar, Advocate
For the Respondent/s : Mr. Standing Counsel (26)

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 23-06-2026 Heard the learned counsel for the petitioners and the learned SC-26 for the State.

2. The grievance of the petitioners is that the common passage which was granted at the time of purchasing the land in question is being obstructed by the private respondents.



3. It has been submitted by the learned counsel for the petitioners that they had approached the authorities raising the grievance that the common passage is being obstructed by the private respondents, however, none of the authorities has taken cognizance of the fact and the said individuals are trying to obstruct the passage by building a boundary wall.

4. The learned AC to SC-26 submits that the petitioners may be directed to approach the authority with a proper application and the same shall be considered and necessary orders be passed taking into account the fact that the said passage is a private road as contended by the petitioners themselves.

5. Considering the aforesaid submissions and taking into account the fact that the petitioners had purchased the said land and there was an arrangement for common passage, however, some of the residents of the area are trying to obstruct the common passage which was carved out from the private land, this Court feels that authorities should act in such cases.

6. In view of the aforesaid, the S.H.O. Digha Police Station, Patna is directed to make an inquiry and submit a report as to whether any obstruction or hindrance is being created by any of the private respondents in a common passage and if the



S.H.O. Digha Police Station finds any obstruction being created, a report shall be submitted to the Sub-Divisional Magistrate, Sadar Patna, who shall see to it that a proceeding is initiated against the said persons for causing hindrance and proper action be taken against the erring persons.

7. The present writ application stands disposed of with the aforesaid directions.

(Sourendra Pandey, J)

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