

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7339 of 2026

Niranjan Bhagat @ Niranjan Kumar Bhagat Son of Surendra Bhagat @ Surendra Prasad Bhagat, Resident of Sangrampur Bazar, Post- Sangrampur, P.S.- Sangrampur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Urban Devp and Housing Development Department, Government of Bihar.
2. The District Magistrate-cum-Collector, Munger.
3. The Sub Divisional Officer, Tarapur, District- Munger.
4. The Circle Officer, Sangrampur, Munger.
5. The Executive Officer, Nagar Panchayat, Sangrampur.
6. The Chief- Counsellor, Nagar Panchayat, Sangrampur.
7. The Ward Counsellor of Ward No.9, Nagar Panchayat, Sangrampur.
8. Nand Kishor Yadav, Son of Late Upendra Yadav, resident of Sangrampur, Post- Sangrampur, P.S.- Sangrampur, District- Munger.
9. Sonu Rajak, Son of Binod Rajak, resident of Sangrampur, Post- Sangrampur, P.S.- Sangrampur, District- Munger.
10. Kiran Rajak, Wife of Binod Rajak, resident of Sangrampur, Post- Sangrampur, P.S.- Sangrampur, District- Munger.
11. Mukesh Kumar, Son of Late Naveen Kumar Singh, resident of Sangrampur, Post- Sangrampur, P.S.- Sangrampur, District- Munger.
12. Dilip Tati, Son of Late Bhuneshwar Tati, resident of Sangrampur, Post- Sangrampur, P.S.- Sangrampur, District- Munger.
13. Vijay Rajak, Son of Sakhicharan Rajak, resident of Sangrampur, Post- Sangrampur, P.S.- Sangrampur, District- Munger.
14. Karu Ranjan, Son of Suchi Rajak, resident of Sangrampur, Post- Sangrampur, P.S.- Sangrampur, District- Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ambrish Kumar, Advocate
For the Respondent/s : Mr. Government Pleader 5

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-06-2026

Heard the parties.

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



“i. For the issuance of appropriate writ(s), order(s) or direction(s) in the nature of ‘Mandamus’ directing the respondent authorities to immediately restrain the private respondents from making any illegal construction (nala) over the petitioner's land on the pretext of constructing a road and drainage (Nala) under the instruction of Chief-Counsellor and Counsellor of Ward No. 9.

ii. For the issuance of an appropriate writ/order/direction directing the respondent authorities to ensure protection of the petitioner's peaceful possession and enjoyment of the aforesaid land, and to prevent any illegal encroachment

iii. For issuance of any other relief/reliefs for which the petitioner are entitled for.”

3. At the outset, learned State counsel submits that the dispute is with the private respondent and the petitioner ought to have moved before the Sub Divisional Officer, Tarapur, Munger and/or competent Civil Court for the redressal of the grievance.

4. Learned counsel for the petitioner submits that he has already preferred a petition before the Sub Divisional Officer, Tarapur, Munger but without any response.



5. Learned State counsel dispute the same and submits that the said petition which is part of the writ petition does not have any initial of the office of the Sub Divisional Office, Tarapur, Munger.

6. This Court is in-line with the submissions put forward by the learned State counsel that the kind of dispute which the petitioner has referred to, the appropriate course of legal journey is either to approach the Sub Divisional Officer, Tarapur, Munger and/or to go before the competent Civil Court.

7. Learned counsel for the petitioner submits that a fresh petition shall be filed before the Sub Divisional Officer, Tarapur, Munger in next four weeks.

8. If such petition is filed in next four weeks, the concerned officer is duty bound to look into the matter, issue notice and take the matter to its logical conclusion in accordance with law.

9. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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