

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8042 of 2026

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Hari Yadav, S/o Yogi Yadav, R/o Village- Labhhari, Post- Kerap, Rafiganj,
District- Aurangabad, Bihar- 824125.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Reforms and Revenue Department, Govt. of Bihar.
2. The Union of India, through Divisional Railway Manager, Dedicated Fright Corridor, Pt. Deen Dayal Junction, Mughalsarai, Uttar Pradesh.
3. The District Magistrate, Aurangabad.
4. The Add. Collector (Land), Aurangabad.
5. The D.C.L.R., Aurangabad.
6. The Circle Officer, Rafiganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.
For the State : Mr. AC to AAG-4
For the UOI : Mr. Rabindra Kumar Priyadarshi, Adv.

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL JUDGMENT

Date : 01-07-2026

At the very outset, before addressing the Court on merits, the learned counsel for the petitioner prays for withdrawal of the writ application with a liberty to approach the Civil Court of competent jurisdiction to get the Title declared over the piece of land situated in Khata No. 37, Plot



No. 3574, area 62.5 decimal at Village-Kerap Tole Lavri and Khata No. 37, Plot No. 3574, area 0.32 decimal in the same village, in the district of Aurangabad.

2. The learned counsel for the petitioner submits that he has purchased the aforesaid land on the basis of registered sale-deed and he has been coming in possession over the same since long, but the Indian Railway, which has acquired the land for laying down the railway line, has paid the compensation amount to somebody else. The petitioner, thereafter, preferred an application for ownership verification case before the D.C.L.R., Aurangabad, who after having heard the concerned parties rejected the claim of the petitioner. Thereafter, the petitioner preferred an appeal vide Ownership Appeal No. 128 of 2020 before the District Magistrate-Cum-Collector, Aurangabad for deciding his ownership claim over the aforesaid piece of land.

3. The District Magistrate-Cum-Collector, Aurangabad *vide* order dated 28.05.2025 rejected the appeal preferred by the petitioner, holding that he could not produce any document showing his due ownership over the piece of land.

4. At this state, the learned counsel appearing on



behalf of the State as also the Union of India submit that the manifold disputed question of fact has been raised in the present writ application, which cannot be decided herein for which the petitioner may be advised to approach the proper legal forum to get his ownership declared.

5. Heard the parties and perused the records.

6. It appears that the petitioner does not possess any document which could justify *bonafidely* his claim of ownership over the aforesaid piece of land and as such, his repeated attempt to get the compensation for the land acquired by the Railways for constructing the railway line could not be entertained. The petitioner has lost on all forums, claiming ownership over the said piece of land.

7. In this circumstances, this Court is left with no option, but to grant him a liberty to approach the Civil Court of competent jurisdiction to get his ownership decided therein over the said piece of land and if such a proceeding is resorted to by the petitioner, the learned Civil Court of competent jurisdiction is duty bound to consider the same expeditiously after having heard all the parties necessary in the aforesaid proceeding.

8. With the aforesaid liberty to the petitioner, the



writ application stands disposed off.

9. Interlocutory application(s), if any, also stands disposed off accordingly.

(Rana Vikram Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03.07.2026
Transmission Date	N/A

