

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8213 of 2026

1. Barun Kumar Puri Son of Late Purnanand Puri, At resident/s of Road No.- 6/C Puri Niwas, Rajendra Nagar, Police Station - Kadamkuan, District- Patna, Permanent resident of Mohalla- Mehdiganj, Patna City, P.S.- Mehdiganj (Old P.S.- Khajekalan) Dist.- Patna.
2. Usha Puri, Wife of Shri Barun Kumar Puri, At resident/s of Road No.- 6/C Puri Niwas, Rajendra Nagar, Police Station - Kadamkuan, District- Patna, Permanent resident of Mohalla- Mehdiganj, Patna City, P.S.- Mehdiganj (Old P.S.- Khajekalan) Dist.- Patna.
3. Apurva Puri, daughter of Shri Braun Kumar Puri, At resident/s of Road No.- 6/C Puri Niwas, Rajendra Nagar, Police Station - Kadamkuan, District- Patna, Permanent resident of Mohalla- Mehdiganj, Patna City, P.S.- Mehdiganj (Old P.S.- Khajekalan) Dist.- Patna.
4. Kartik Kumar Puri, S/o Late Arun Kumar Puri, At resident/s of Road No.- 6/C Puri Niwas, Rajendra Nagar, Police Station - Kadamkuan, District- Patna, Permanent resident of Mohalla- Mehdiganj, Patna City, P.S.- Mehdiganj (Old P.S.- Khajekalan) Dist.- Patna.
5. Chaitanya Puri, S/o Late Arun Kumar Puri, At resident/s of Road No.- 6/C Puri Niwas, Rajendra Nagar, Police Station - Kadamkuan, District- Patna, Permanent resident of Mohalla- Mehdiganj, Patna City, P.S.- Mehdiganj (Old P.S.- Khajekalan) Dist.- Patna.
6. Rishi Raj Puri, S/o Late Arun Kumar Puri, At resident/s of Road No.- 6/C Puri Niwas, Rajendra Nagar, Police Station - Kadamkuan, District- Patna, Permanent resident of Mohalla- Mehdiganj, Patna City, P.S.- Mehdiganj (Old P.S.- Khajekalan) Dist.- Patna.

... .. Petitioner/s

Versus

1. That State of Bihar through Principal Secretary Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. Director General of Police, Bihar, Patna.
3. District Magistrate-cum-Collector, Patna.
4. Senior-Superintendent of Police, Patna.
5. Sub-divisonal Office/Magistrate, Patna City.
6. Sub-divisional Police Office, Patna City.
7. Office-in-charge, Mehandiganj Police Station, Patna City, Patna.
8. Pankaj, Son of Mohan Mahto, resident of Mohalla and Police Station- Mehandiganj, District- Patna.
9. Mrs. Usha Devi, at present Ward Councillor, Ward No.- 61, Mehdiganj, Patna City, Patna - 800008.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr. Raj Shekhar, Advocate
For the State : Mr. Standing Counsel (10)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-07-2026 Heard Mr. Raj Shekhar, learned counsel for the
petitioners and Mr. Krishnakant Singh, learned State counsel.

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

“(i) for issuance of an appropriate writ/s, direction/s, order/s in the nature of mandamus for commanding the respondent/s to make petitioners raiyati land encroachment free, encroached by the private respondent and other local persons on his (respondent no.-8) instigation, encouragement and connivance.

(ii) for issuance of an appropriate writ/s direction/s order/s in the nature of the mandamus for commanding respondent/s, especially, the respondent no.-5 to dispose of the petition under section 163 B.N.S.S. filed by the petitioner no.- 4 to 6 and bring it to a logical end.

(iii) for issuance of an appropriate writ/s, direction/s, order/s in the nature of



mandamus proper for commanding the respondent/s to make permanent measure/s to protect the life and properties of the petitioners.

(iv) any other relief/s for which the petitioners may found entitled by this Hon'ble court."

3. The matter relates to a piece of land details of which stands incorporated in paragraph no.6 and read as under:

"Mauza-Mehandiganj, P.S.-Mehandiganj, Sheet No.188, Ward No. 25 (old), New Ward No. 61 bearding M.S.P. No. 1059, Area-951 Kadi (1 Acres)"

4. The grievance mainly is against respondent no.9 and the complaint in the writ petition is that despite moving from pillar to post which includes the Sub-Divisional Magistrate, Patna City (respondent no.5), as they chose to look the other way, the writ petition.

5. Earlier, a coordinate Bench wanted the State to file reply as to why no step was taken by the Sub-Divisional Magistrate, Patna City on the petition preferred by the petitioner on 16.12.2025.

6. Today on call, though the counter affidavit is not



there, learned State counsel submits that the he had a telephonic conversation with the respondent Sub-Divisional Magistrate, Patna City according to him, he has already taken cognizance of the matter and Misc. Case No. 140 of 2026 has been initiated under section 163 of the BNSS on 02.06.2026 and notices issued.

7. Learned counsel for the petitioner submits that for six months, the Sub-Divisional Magistrate, Patna City sat over the matter allowing the respondent no. 8 and 9 to create disturbance.

8. Having heard the parties, the petitioners have put on affidavit regarding submission of petition before the Sub-Divisional Magistrate, Patna City. The least that is expected from the Officer who has been assigned the role to maintain peace in his jurisdiction, is to take cognizance of such matter and when in the present case a proper application was there, he should have acted swiftly. Instead, it seems, he waited for the filing of the writ petition and only after he got the knowledge of the present case, has initiated the proceeding as recorded above.

9. Nonetheless, now that he has taken cognizance of the matter, it is expected that he will act strictly in line with the section 163 of the BNSS and after hearing the parties, shall be



passing an appropriate/reasoned order after seeking report from those under him.

10. It has been informed by learned State counsel that delay happened due to absence of report from the concerned Police Station and the learned Sub-Divisional Magistrate, Patna City has already put the said Officer Incharge on notice.

11. These are the matter to be dealt by the concerned Officer. It is his duty to ensure that the information he has sought for comes in time failing which the office has all the power under the law of land to act against the erring official.

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

(Rajiv Roy, J)

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