

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1813 of 2018

Indravati Devi w/o Valmiki Singh r/o village - Mirzapur, P.O. and P.S.
Hathua, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, District - Gopalganj.
3. The Additional Collector, District - Gopalganj.
4. The Sub Divisional Officer, District - Gopalganj.
5. The Deputy Collector Land Reforms Hathua, District - Gopalganj.
6. The Circle Officer Hathua Block Hathua, District - Gopalganj.
7. The Secretary, Bhoodan Yagna Committee, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar Dubey, Advocate Mr. Kumar Gaurav, Advocate Ms. Sheshadri Kumari, Advocate Ms. Ishiqua Raj, Advocate
For the Respondent no.7	:	Mr. Rajni Kant Singh, Advocate
For the State	:	Mr. Navnit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 12-01-2026 Heard the parties.

I.A. No. 01 (1129) of 2018:

2. The aforesaid Interlocutory Application has been preferred for amending the petition as follows:

“for issuance of writ in the nature of certiorari for quashing the letter no. 62 dated 25.01.2018 issued under the signature of Circle Officer, Hathua by which he has hold that the Parcha issued



by the Bhoodan is not admissible”.

3. There is no opposition from the other side.

4. I.A. No. 01 (1129) of 2018 is allowed.

5. Let the prayer incorporated in I.A. No. 01 (1129) of 2018 be read with the main prayer of the petition.

C.W.J.C. No. 1813 of 2018:

6. Heard Mr. Ranjan Kumar Dubey, learned counsel for the petitioner and the State.

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

(i) for issuance of writ in the nature of command directing the respondent 1st set to not make any construction of road over the land of petitioner which has been settled by the Bhoodan Yagna Committee through due process of law;

(ii) for issuance of writ in the nature of command directing the respondent 1st set to make construction of road over the land for which tender has been done and some work has already been done also by the person to whom work has been allotted;



(iii) for issuance of writ in the nature of command directing the respondents to not divert to road from its original shape as published in the tender and that too without any change in the earlier tender or any direction by the higher authorities;

(iv) for any other writ/writs, order/orders for which petitioner deemed entitled to.

8. The counter affidavit of both the respondents have come in which they have not only questioned the *locus standi* of the petitioner, vis-a-vis land in question, the the State has submitted that it belong to the State of Bihar and any transfer made is without law.

9. In the opinion of the Court, there is complex question of facts/law which can very well be adjudicated before the competent Civil Court for the redressal of the grievance. The petitioner undertakes to file appropriate suit before the competent Civil Court in next eight weeks and in that background, the status-quo order that was granted by the coordinate bench of this Court on 05.03.2018 to continue for the next eight weeks.

10. Needless to add, the petitioner will be at liberty to



approach the concerned competent Civil Court for providing interim relief, if any, thereafter.

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

(Rajiv Roy, J)

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