

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7830 of 2026

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Murari Prasad Singh Son of Late Brajendra Prasad Singh, Resident of
Village- Ward No. 1, Mokama, Post Office Mokama, Police Station Mokama,
District Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Road Construction, Government of Bihar, Old Secretariat, Patna - 800 015.
2. The District Magistrate, Patna, Collectorate, Patna 800001.
3. The Circle Officer, Mokama, District Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Saket Gupta
For the Respondent/s	:	Government Pleader (02)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-05-2026 Heard learned counsel for the petitioner and

learned counsel for the State.

2. The instant writ application has been filed for the

following reliefs:-

*(i) Issuance of a writ of certiorari
quashing the Notice dated 11.05.2026 bearing
Letter No. 27/Ra/Ra issued by Respondent No. 3.
The Circle Officer, Mokama. Patna being illegal,
arbitrary, without jurisdiction, and without
disclosure of any statutory authority;*

*(ii). Issuance of a writ of mandamus
directing the Respondents to forthwith refrain from
taking any coercive demolition or removal action
in respect of the Petitioner's residential structure
standing upon private raiyati land bearing Khata
No. 405 and Khesra No. 2889, situated at Village
Mokama, P.S. Mokama, District Patna, Bihar;*

(iii) Declaration that dispossession or



demolition of the Petitioner's residential structure without prior acquisition proceedings, compensation, and due process of law is unconstitutional and violative of Articles 14, 21 and 300A of the Constitution of India,

(iv). Pending hearing and final disposal of the present writ petition, grant of an ex-parte ad-interim order staying the operation and implementation of the impugned Notice dated 11.05.2026 and restraining the Respondents, their agents, subordinates and all persons acting under their authority from taking any demolition, removal or coercive action in respect of the Petitioner's residential structure bearing Khata No. 405 and Khesra No. 2889, situated at Village Mokama, District Patna, Bihar,

(v). Any other relief to which the Petitioner may be found entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the petitioner received a notice dated 11.05.2026, issued by the respondent no.3, directing the petitioner to remove his residential house standing upon private raiyati land bearing Khata No.405 and Khesra No.2889 situated at Village-Mokama, P.S. Mokama, Patna, Bihar, within one week on bare allegation that the same falls within the area required for widening of NH-31. He further submits that the impugned notice is wholly illegal, vague and arbitrary in nature. It neither discloses any statutory provision under which the proposed action is sought to be taken, nor furnishes any acquisition details, demarcation



report, survey map, road alignment plan or particulars of the allegedly affected portion.

4. In view of the reliefs sought by the petitioner, the notice dated 11.05.2026 bearing Letter No.27/Ra/Ra issued by the Circle Officer, Mokama is quashed. He is directed to issue a fresh notice to the petitioner within a week, in accordance with the provisions of the Bihar Public Land Encroachment Act, 1956.

5. Accordingly, the writ application stands disposed with the aforesaid observations and directions.

(Ajit Kumar, J)

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