

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18793 of 2018

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1. Md. Khurshid S/o late Md. Makbul Ahmad
 2. Md. Samim Ahmad S/o late Ali Akbar
 3. Shahabuddin Ekbal S/o late Md. Mustafa
 4. Rizwan Ahmad S/o late Md. Mustafa
 5. Ali Haider S/o late Makbul Ahmad
 6. Md. Parwez Hassan S/o late Azimul Haque All are Resident of Village Behind Registry Office and Old District Jail Gopalganj Ward No. 16 P.O. P.S.Distt Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principle Secretary building construction Department, Govt. of Bihar, Patna.
3. Bihar State Building Construction Corporation Patna Bihar.
4. The Collector Gopalganj.
5. The Deputy Collector Land Development Gopalganj.
6. The Sub Divisional Officer, Gopalganj.
7. The Circle Officer, Gopalganj.
8. The Executive Officer Nagar Parishad Gopalganj.
9. M/s Saryug Gautam Construction Pvt. Ltd. Contractor Construction Made through Bihar State Buildin

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Shrivastwa, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambastha, SC-26
		Mr. Santosh Kumar Mishra, AC to SC-26
For the BSBCCCL	:	Mr. Kumar Abhimanyu Pratap, Advocate
		Ms. Rushali, Advocate
		Ms. Sakshi Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 02-02-2026 Heard Mr. Jitendra Kumar Shrivastwa, learned
counsel for the petitioner, Mr. Manoj Kr. Ambastha, SC-26 and
Ms. Rushali representing the Bihar State Building Construction



Corporation Ltd (for brevity, 'the Corporation').

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

“for directing the respondent authorities to not closed the only one approached road which is use and avail by the petitioners since 1934 for coming and going in their houses by for father and theirs ancestors with their family members and relatives also in between behind registry office Gopalganj and old District Jail Gopalganj to their house situated as ward no. 16 khata no. 9, plot no. 42 and 42/1479.”

3. The matter relates to a land situated under ward no. 16 (Khata No. 9, Plot No. 42) behind the Registry Office, Gopalganj/Old Jail Campus, Gopalganj) and the claim is that they are residing since the year 1934 but their movement on the road has been blocked by the State-Authorities, forcing them to invoke writ jurisdiction of this Court.

4. Counter-affidavit has been filed on behalf of the respondent nos. 4 to 7 and learned State counsel submits that access to the road is available to the petitioners and if there is any dispute with the private person, the remedy is to move



before the learned Sub-Divisional Magistrate, Gopalganj.

5. 'The Corporation' has also filed its affidavit stating that the new Courtroom building has come up on the old jail and the construction has already been completed alongwith a boundary wall and the petitioners cannot claim access through that security complex.

6. Ms. Rushali representing 'the Corporation' has come up with a map provided by 'the Corporation' which shows that the petitioners have access to a five feet road which merges with a ten feet road on one side and six feet road on the other side and both these roads have access to the market roads (Court road) on the one side and ChandraGokul road on other.

7. Let the said map be kept on record.

8. Learned counsel for the petitioner submits that if 'the Corporation' has come up with this map showing their access, as recorded above, they reserved their right to agitate against private respondents.

9. This Court has recorded the facts, has also gone through the map and is satisfied that the petitioners are having access on the both sides of the main road and if there is any grievance against private respondents, as per the State stand, can always be agitated before a competent authority/Court.



10. The writ petition stands disposed of with aforesaid observation.

11. Before parting, this Court would like to record its word of appreciation for Ms. Rushali, learned counsel for ‘the Corporation’ for the assistance rendered in the matter.

(Rajiv Roy, J)

Adnan/-

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