

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10067 of 2025

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1. Narayan Ji Choudhary Son of Late Suresh Choudhary Resident of Village- Kanhauli, P.S.- Manigachhi, District- Darbhanga.
 2. Krishna Kant Choudhary, Son of Late Ramchandra Choudhary Resident of Village- Kanhauli, P.S.- Manigachhi, District- Darbhanga.
 3. Shivkant Choudhary, Son of Late Ram Chandra Choudhary Resident of Village- Kanhauli, P.S.- Manigachhi, District- Darbhanga.
 4. Ajay Kumar Choudhary, Son of Late Chandra Shekhar Choudhary Resident of Village- Kanhauli, P.S.- Manigachhi, District- Darbhanga.
 5. Anjani Kumar Choudhary, Son of Late Chandrashekhar Choudhary Resident of Village- Kanhauli, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Darbhanga.
3. The Additional Collector, Darbhanga.
4. The District Panchayati Raj Officer, Darbhanga.
5. The Chief Engineer (North) Building Construction Department, Bihar, Patna.
6. The Superintending Engineer, Building Construction Department, Building Circle, Darbhanga.
7. The Executive Engineer, Building Construction Division, Darbhanga.
8. The Deputy Collector Land Reforms, Sadar, Darbhanga.
9. The Circle Officer, Manigachhi, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Advocate Mr. Dilip Kumar No. 1, Advocate
For the Respondent/s	:	Mr. Government Pleader (02)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 22-06-2026 Heard Mr. Rajendra Narayan, learned Senior
Counsel for the petitioner and

2. The present petition has been preferred for the



grant of following relief(s):

“(i) to direct the respondents not to make any construction over the raiyati land of petitioners who are in peaceful possession for more than seventy years and paying rent to the State of Bihar till the date;

(ii) further direction be issued to the respondents-authorities not to transfer the land in question to respondent no.4 without any acquisition process, which are raiyati lands of the petitioners;

(iii) also to issue direction to the respondent authorities not to take illegal benefit of Revisional Survey Khatiyani, for which till today the gazette notification has not been finally issued of the land in question.

(iv) to quash the order dated 14.05.2025 passed in Jamabandi Cancellation Case No.150/2024-25 by respondent no.3 which has been passed against the dead person and also during pendency of Title Suit No.187/2025 in competent civil court, Darbhanga for the land



in question.

(v) and any other reliefs be granted to the petitioners for which they are entitled under facts and circumstances of the case.”

3. The matter relates to a piece of land the case of which is/are incorporated herein and read as under:

“Old Khata No. 78, Old Khesra No. 368, New Khata No. 223, New Plot No. 623, Area-59decimal, Plot No. 624, Area-42 decimal and Plot No. 620 area 57 decimal.”

4. The contention is that it is an ancestral property divided between the family members but after cancellation of jamabandi, construction is being made by the respondents herein. Having no alternative, in the present writ petition.

5. A counter affidavit has come on behalf of the respondent no. 2 and learned State counsel has taken this Court to paragraph number 11 to show that a Title Suit is pending and the petitioner can very well agitate the matter before the concerned court.

6. Learned Senior Counsel submits that though he shall be taking steps for filing a proper petition, the State



respondents are hell bent upon by continuing with the construction.

7. This Court is of the opinion that once a proper petition is preferred before the competent Civil Court, after seeking a response from the defendants, the court is competent enough to take an appropriate decision on the said petition of the petitioner.

8. The writ petition is disposed of with the aforesaid observation allowing the parties to contest the matter i.e. Title Suit No. 187 of 2025.

(Rajiv Roy, J)

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