

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9963 of 2026

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1. Seema Kumari, Wife of Hakikat Kumar
 2. Shobha Kumari, Wife of Nasihat Kumar
 3. Raj Nandani Kumari, Wife of Nasihat Kumar
 4. Geeta Kumari, Wife of Jugal Prasad
 5. Kusum Devi, Wife of Nand Kumar Ram
 6. Nirmal Prasad, Son of Surat Prasad
 7. Madan Kumar Sharma, Son of Shushil Kumar Sharma
 8. Lata Devi, Wife of Niranjan Sharma
 9. Maya Devi, Wife of Amar Sharma
 10. Radhika Devi, Wife of Ashwani Sharma
 11. Lalsa Devi, Wife of Surendra Yadav
 12. Priti Devi, Wife of Pappu Yadav
 13. Ranju Devi, Wife of Lakshman Ram
 14. Ram Avtar Ram, Son of Late Yogendra Ram
 15. Kumar Pankaj, Son of Lakshman Ram
 16. Sushil Kumar Ram, Son of Mahendra Prasad Ram
 17. Radhika Devi, Wife of Gorakh Ram
 18. Santoshi Devi, wife of Sanjay Kumar Thakur
 19. Urmila Devi, Wife of Yogendra Prasad
 20. Dhanji Sah, Son of Bhutali Sah
 21. Shiv Kumar Ram, Son of Bhagwati Ram
 22. Sita Devi, Wife of Yogendra Ram
 23. Priyanka Devi, Wife of Jagjiwan Ram
 24. Krishna Devi, Wife of Pramod Sharma
 25. Pramod Kumar, son of Ganesh Ram
 26. Punam Devi, Wife of Rakesh Kumar
 27. Minta Devi, Wife of Sapahi Lathor
 28. Gunjan Kumari, Wife of Rajendra Prasad Rathor
 29. Rani Devi, wife of Guddu Kumar
 30. Rajesh Kumar Paswan, son of Somaru Bhagat
 31. Kunti Devi, wife of Kanta Ram
 32. Sursasi Devi, Wife of Kamlesh Sah
 33. Vinayak Prasad, Son of Late Kariman Prasad
 34. Kanchan Guriya, Wife of Rajan Rajak



35. Rani Devi, Wife of Raju Rajak
36. Rubi Kumari, Wife of Pappu Rajak
37. Kanchan Devi, wife of Sudama Lal Ravi
38. Asha Devi, Wife of Sitaram Ravi
39. Raju Ram, Son of Bhagawati Ram
40. Rina Paswan, Wife of Gagandeo Shambhu Chaudhary
41. Markandey Chaudhary, son of Shambhu Chaudhary
42. Rahul Kumar, son of Yogendra Prasad Thakur
43. Sushila Devi, Wife of Jitendra Kumar Paswan
44. Savita Devi, Wife of Bablu Yadav
45. Sunaina Devi, Wife of Gopal Prasad
46. Chandan Kumar, son of Gopal Prasad
47. Anita Devi, Wife of Kaushal Kishor Azad
48. Bindeshwar Prasad, Son of Hari Govind Das
49. Satyendra Kumar, son of Kishun Paswan
50. Shilu Devi, wife of Jitendra Kumar
51. Kanchan Devi, Wife of Jitendra Kumar
52. Dharmendra Kumar, son of Hiralal Ram
53. Shivji Ram Ravi, son of Yamina Ram Ravi
54. Hira Lal Ram, Son of Kalkati Ram
55. Vishwanath Prasad, son of Ramrup Ram
56. Kaveri Kumari, Wife of Dharmendra Kumar
57. Pushpa Devi, wife of Sant Prasad
58. Puja Kumari, wife of Sumant Kumar
59. Akleshwari Kumari, Wife of Gorakh Ram
60. Jai Prakash Ram, wife of Yogendra Ram
61. Rekha Devi, Wife of Umesh Thakur
62. Dharmshila Devi, wife of Krishna Prasad
63. Avinash Prasad, Son of Late Muni Lal

All are residents of Mohalla- Ambedkar Colony, Ward No. 16 (Pakari), P.S.-
Ara Nawada, District-Bhojpur, Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.



3. The District Magistrate, Bhojpur, Ara.
4. The Additional District Magistrate-cum-Secretary, District Urban Development Authority, Bhojpur, Ara.
5. The D.C.L.R., Bhojpur, Ara.
6. The Circle Officer, Ara Sadar.
7. The Executive Engineer, Shahabad Road Circle, Ara, Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Adv.
For the State : Mr. AC to GP-27

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL JUDGMENT
Date : 09-07-2026

At the very outset, the learned counsel appearing on behalf of the petitioners seeks permission to implead the Executive Engineer, Shahabad Road Division, Bhojpur at Ara as respondent No. 7 in the present writ application during the course of the day.

2. Permission is granted.

3. Heard the learned counsel for the respective parties.

4. The petitioners have approached this Court with a solitary relief for issuing a direction to the respondents herein for settlement of the land in their favour as they are landless persons on the strength of a letter dated 26.02.2010 issued by



the Additional Collector-Cum-Secretary, District Urban Development Authority, Bhojpur, Ara.

5. It is the further case of the petitioners that they hail from Scheduled Caste category and being landless, they have been residing upon the piece of land, appertaining to Thana No. 236, Khata No. 377, Khesra No. 1363/2147 and Mauja-Pakari, for the last several years. It is pointed out that the land on which the petitioners have been residing is *Kaiser-i-Hind* land.

6. On the representations of the petitioners for settlement of the land by issuing a *Basgit Parcha* in their favour, the respondent No. 4, *i.e.*, the Additional Collector-Cum-Secretary, District Urban Development Authority, Bhojpur, Ara, *vide* Letter No. 10 dated 26.02.2010, requested respondent No. 7, *i.e.*, the Executive Engineer, Shahabad Road Division, Bhojpur at Ara, that in view of the report of the Circle Officer, Ara Sadar (respondent No. 6) for implementation of I.H.S.D.P. Scheme related to construction of houses for the landless persons, the No Objection Certificate is required and considering the aforesaid aspect of the matter, necessary directions be issued at the earliest.

7. As evident from the preceding paragraph, the



Additional Collector-Cum-Secretary, District Urban Development Authority, Bhojpur, Ara (respondent No. 4) *vide* Letter No. 10 dated 26.02.2010 wrote a letter to the Executive Engineer, Shahabad Road Division, Bhojpur at Ara with a request to issue No Objection Certificate for the land which is situated near Ambedkar colony as this land has been selected for constructing houses for the landless/poor persons under the I.H.S.D.P. Scheme since this land is registered in the name of Public Works Department. The Additional Collector-Cum-Secretary, District Urban Development Authority, Bhojpur, Ara has written this letter (Annexure-P/1 to the writ application) in view of the report, as contained in Letter No. 118 dated 01.02.2010, submitted by the Circle Officer, Ara Sadar (respondent No. 6).

8. The learned counsel for the petitioners contends that since 2010 till date, the matter is still pending before the concerned respondent for issuance of No Objection Certificate and in absence of the same, the petitioners have been waiting for their houses to be constructed under the aforesaid scheme by the Government.

9. The petitioners have also filed various representations before all the concerned respondents, but till



date, no action has been taken by them and they are simply sitting over the matter without discharging their statutory duty, which they are saddled with.

10. The learned AC to GP-27 appearing on behalf of the State submits that since the matter of the petitioners are related to settlement of land for construction of houses and the matter is still pending before the competent authority for issuance of No Objection Certificate, the petitioners may be directed to approach the concerned authority again and in this view of the matter, this writ application appears to be misconceived.

11. Annexure-P/1 appended to the writ application indisputably evince that considering the representations of the petitioners on account of them being landless, hailing from the Scheduled Caste category, the Additional Collector-Cum-Secretary, District Urban Development Authority, Bhojpur, Ara requested the Executive Engineer, Shahabad Road Division, Bhojpur at Ara for issuance of No Objection Certificate for the land upon which the respondents have decided to construct the houses for the landless persons/the petitioners under the I.H.S.D.P. Scheme.

12. The Additional Collector-Cum-Secretary



written the said letter in the year 2010 with a request to the Executive Engineer, Shahabad Road Division, Bhojpur at Ara for issuance of No Objection Certificate at the earliest. The said letter is based on the report of the Circle Officer, Ara Sadar (respondent No. 6), a copy of which has also been annexed therewith.

13. It further appears that on account of pendency of the matter relating to issuance of No Objection Certificate at the level of Executive Engineer, Shahabad Road Division, Bhojpur at Ara, the petitioners' fate are hanging in balance as they are still residing on that piece of land in a makeshift arrangement with the hope and trust that under the I.H.S.D.P. Scheme, they will have a dwelling house, so constructed at the cost of the Government.

14. The social welfare schemes of the government are aimed at providing amenities to the landless/poor persons, who are also citizen of the country, having equal right as guaranteed by the Constitution of India. The governmental schemes for providing dwelling houses to the landless/poor persons seems to met a dead-end on account of callous, indifferent and reckless approach of the government officers, who are entrusted with the duty of executing and implementing



the government schemes. The case at hand is one of the most glaring and shocking example of the same wherein the construction of the houses of the landless/poor persons have been stalled on account of the sheer negligence of the respondent officers, who are not only frustrating the welfare schemes of the government, but also causing immense sufferings to the landless/poor persons.

15. The conduct of the respondent/Executive Engineer, Shahabad Road Division, Bhojpur at Ara does not appear to be legally plausible and it seems that he has scant regard for the letters written by the competent authority, like that of the Additional Collector of the District, who is simply requesting him to issue a No Objection Certificate in view of the report so submitted by the concerned Circle Officer.

16. It is a settled principle that holding the position of power often comes with onerous responsibility, which the person is under an obligation, in the law, to discharge in consonance with the settled legal principles and not as per their whims and fancies.

17. Thus, this writ application is disposed off with a direction to all the concerned respondents including the Executive Engineer, Shahabad Road Division, Bhojpur at Ara;



the Additional Collector-Cum-Secretary, District Urban Development Authority, Bhojpur at Ara as well as the Collector-Cum-District Magistrate, Bhojpur at Ara to dispose off this matter as expeditiously as possible, preferably within a period of eight weeks from the date of this order, so far it relates to the issues raised by the petitioners in their representations filed before them.

18. If the representations filed by the petitioners could not be traced in the office(s) of the concerned respondents, the petitioners shall, again, file a detailed representation(s), enclosing all the documents which have been annexed herewith, within a period of two weeks henceforth, for their perusal and necessary action thereof, within the stipulated time as directed hereinabove.

19. With the aforesaid observation/direction, the writ petition stands disposed off.

20. The interlocutory application(s), if any, also stands disposed off accordingly.

(Rana Vikram Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.07.2026
Transmission Date	N/A

