

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10473 of 2026

1. Dwarika Prasad Son of Late Karu Mahto, Resident of Village Mora, PS Chhabilapur, District Nalanda, Bihar at present residing at Flat No 148, Kadambari Apartment, Near North Ex Mall, Sector 9, Rohini, PS Prashant Vihar, District North West Delhi, Delhi.
2. Madhu Prasad, Wife of Dwarika Prasad, Resident of Village Mora, PS Chhabilapur, District Nalanda, Bihar at present residing at Flat No 148, Kadambari Apartment, Near North Ex Mall, Sector 9, Rohini, PS Prashant Vihar, District North West Delhi, Delhi.
3. Agni Prasad, Son of Dwarika Prasad, Resident of Village Mora, PS Chhabilapur, District Nalanda, Bihar at present residing at Flat No 148, Kadambari Apartment, Near North Ex Mall, Sector 9, Rohini, PS Prashant Vihar, District North West Delhi, Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Executive Engineer, Bihar Urban Infrastructure Development Corporation Ltd., BUIDCO, Government of Bihar, Biharsharif, Nalanda.
3. The Collector cum District Magistrate, Nalanda.
4. The Superintendent of Police, Nalanda.
5. The Sub-Divisional Magistrate, Rajgir, District Nalanda.
6. The Deputy Collector Land Reform, Rajgir, District Nalanda.
7. The Project Director, Bihar Urban Infrastructure Development Corporation Ltd., D.R.D.A. Campus, New Collectorate Office, Biharsharif, Nalanda.
8. The Circle Officer, Rajgir, District Nalanda.
9. The S.H.O. Chhabilapur Police Station, District Nalanda.
10. Bittu Kumar, Son of Shailendra Prasad, Resident of Village Mora, PS Chhabilapur, District Nalanda, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dileep Kumar Singh, Advocate
For the Respondent/s	:	Mr. Kumar Manglam, AC to SC-24
For the BUIDCO	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. R.K. Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2026

Heard the parties.

2. The present petition has been preferred for the



following relief(s):

“(i) not to construct the Private Road on Raiyati Land of petitioners of Khata No. 31 Khesara no. 510 area 24 decimal, Khata No. 31 Khesara No. 1075 area 25.5 decimal, Khata No. 31 Khesara No. 605 area 5 decimal, Khata no 31 Khesara no 841 area 32 decimal, Khata No. 17 Khesara No. 986/987 area 5 decimal, Khata No. 10 Khesara No.1074 area 14 decimal of Mauza Mora (490), Anchal Rajgir, Thana Chhabilapur, District - Nalanda,

(ii) to stop forcibly encroachment made upon the Raiyati Land of petitioners of Khata No. 31 Khesara no. 510 area 24 decimal, Khata No. 31 Khesara No. 1075 area 25.5 decimal, Khata No. 31 Khesara No. 605 area 5 decimal, khata no 31 Khesara no 841 area 32 decimal Khata No. 17 Khesara No. 986/987 area 5 decimal, Khata No. 10 Khesara No.1074 area 14 decimal of Mauza Mora (490), Anchal Rajgir, Thana Chhabilapur, District - Nalanda

(iii) to remove cement and Soil from the



Raiyati Land of petitioners and/or

(iv) for issuance of appropriate writ or direction for which your lordship may deem fit and proper under the circumstances of the case stated herein after.”

3. The details of the land stands recorded in the prayer portion itself and need no repetition.

4. The contention of the petitioners is that on their raiyati land, the respondents are allowing encroachment and construction of private road is being made.

5. Learned counsel for the petitioner has taken this Court to the letter no. 288 dated 20.02.2026 issued by the Project Director, Bihar Urban Infrastructure Development Corporation Ltd. (for brevity, ‘the BUIDCO), Nalanda and addressed to the Circle Officer, Rajgir drawing his attention to the petition of the petitioner and request was made to demarcate his land accordingly so that appropriate steps be taken by ‘the BUIDCO’.

6. This letter is dated 20.02.2026 and we are in the month of July, 2026. The Circle Officer, Rajgir failed to act in the matter forcing the petitioner to approach this Court which definitely caused economic loss to him only because the Circle



Officer, Rajgir had decided not to fulfill his obligation/duty for which he has been transferred to the said office.

7. Learned State counsel submits that if the petition has not been disposed of, it will be taken to its logical conclusion at an earliest.

8. In that background, the writ petition stands disposed of with a direction to the Circle Officer, Rajgir (respondent no. 8) to take up the matter immediately and if it has not been disposed of, to dispose it of in next four weeks to avoid contempt.

9. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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