

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17386 of 2021**

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Niranjan Singh Son of Timal Singh, Resident of Village -Sotichak, Police Station-Fatuha, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms, Government of Bihar.
2. The Collector-cum-District Officer, Patna.
3. The Sub Divisional Officer, Patna City, Patna.
4. The Circle Officer, Fatuha, Patna.
5. Officer Incharge, Fatuha Police Station.
6. Surendra Prasad Singh, Son of Late Dronacharya Singh,
7. Santu Kumar, Son of Madan Mohan Singh,  
Both are Resident of Village-Sotichak, Police Station-Fatuha, District-Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Rabindra Kumar Priyadarshi, Advocate<br>Mr. Mohan Kumar Tiwari, Advocate |
| For the Respondent/s | : | Mr.Sajid Salim Khan (Sc25)                                                  |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      02-02-2026                      Heard Mr. Rabindra Kumar Priyadarshi and Mr. Mohan Kumar Tiwari, learned counsels appearing on behalf of the petitioner and Mr. Sajid Salim Khan, learned SC 25 for the State.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

*“That the present writ petition is being filed against the arbitrary action of respondent authorities particularly respondent no.3 and 4 who on the connivance and guidance of private respondent adamant to demolish the residential house of the petitioner which is situated at Khata No.43 on Raiyti land of the petitioner.”*



3. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner is aggrieved by inaction of the Circle Officer, Fatuha, who has illegally allowed a piece of land, appertaining to Khata No.43, Plot No.69 to be encroached by some private persons illegally, however, the petitioner has not been affected by the said encroachment but his grievance is that the government officials must act in accordance with law. In the present case, the Circle Officer has deliberately by not considering the grievance of the petitioner in connivance with the private persons/respondents has disturbed the peaceful possession of the petitioner and also the action of the Circle Officer has affected the mental status of the petitioner, which is required to be dealt with in accordance with law.

4. *Per contra*, learned counsel appearing on behalf of the State informs that petitioner can avail remedy in accordance with the provision of Bihar Land Dispute Resolution Act, 2009, if such occasion arises as would appear from the pleadings and information contained in the present writ petition and in absence of any cause of action, the present writ petition is premature.

5. Having considered the rival submissions made on behalf of the parties and the relief as prayed for in the present writ petition, the petitioner can approach the appropriate



authority, as and when, he is aggrieved by any of the action of the Circle Officer or the private respondents for being considered in accordance with law.

6. The writ petition is, accordingly, disposed of.

**(Purnendu Singh, J)**

Sanjay/-

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