IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10808 of 2026

CNR No. BRHC010698902026

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1. Bipin Kumar Son of Late Ram Krishna Sharma, Resident of Mohalla- Prem Nagar, Horilganj Sharma Lodge Jehanabad, P.S.-Jehanabad, Distt. and Town-Jehanabad.
2. Birendra Sharma, Son of Late Ram Padarath Sharma, Resident of Mohalla- Prem Nagar, Horilganj Sharma Lodge Jehanabad, P.S.-Jehanabad, Distt. and Town-Jehanabad.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar Patna.
2. The Collector, Jehanabad.
3. The Addl. Collector, Jehanabad.
4. The Senior Project Engineer/Director, Jehanabad.
5. The Project Engineer/Director BUDCO, Jehanabad.
6. The Circle officer Jehanabad Anchal, Jehanabad.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Mukesh Kumar No. 1, Advocate
For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG-3
For the BUIDCO : Mr. Rabindra Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 27-10-2026 Heard the parties.

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

"for issuance of writ especially in nature of Certiorari for quashing of Revised N.O.C. issued vide Memo No.-1910 dated 25.06.2026 by the respondents No.-6 i.e. circle officer Jehanaba daltering the Khesera No.-2250 in place of 2292 in

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Mauza- Bhabana, Thana No.-379, Khata No.-287 area of 02 Acre, for construction of Sewage Treatment Plant under Jehanabad Nagar Parishad, and accordingly Respondents No.-4 & 5 started to make construction work on the Khesera No.-2250, how ever the Circle officer had earlier issuedN.O.C. videsame Memo for the same purpose in which Khesera No.-2292 was mentioned but without issuance of any corrigendum, only change the Khesera No.-2250 instead of 2292, however Khesera No.-2250 is purchased land of the petitioners through registered sale deed dated 08.10.1969.

For Further issuance of Writ in nature of Mandamus directing to respondents concern that the Circle officer Jehanabad to cancel the Khesera No.-2250 and work for Sewage Treatment Plant may be constructed on Khesera No.-2292, in light of earlier Memo.

Further be pleased to direct the respondents not to Proceed with construction of the sewage Treatment Plant on the land of Petitioners

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unless acquire the land or otherwise obtain lawful authority.

Further be pleased to declare that any action taken on the basis of the altered khesra number is illegal, respondents will be sole responsible to compensate the Petitioners.

During pendency of this writ Petition, the work of Sewage Treatment Plant under Jehanabad Nagar Parishad on the basis of alter khesera i.e. Khesera No.-2250 may kindly be stayed."

3. Learned counsel for the petitioners candidly submits that lots of water has flown down the ganges inasmuch as after the writ petition was filed, the Additional Collector, Jehanabad took up Jamabandi Cancellation Case No. 16/ADM/2026-27 and has cancelled the same on 03.10.2026.

4. The petitioner intends to file appeal before the Collector, Jehanabad against the order in question.

5. The further submission is that the petitioner has already preferred Title Suit No. 249 of 2026 which is pending before the competent Civil Court, Jehanabad.

6. Taking into account the development that has taken

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place, allowing the petitioner to pursue the legal remedy, as narrated above, and with observation that the authority/Court will be taking the matter to its logical conclusion at an earliest, the writ petition stands disposed of.

7. Before parting, this Court would like to put on record its word of appreciation for Mr. Vikas Kumar, learned counsel for the petitioner for the assistance rendered in the matter.

(Rajiv Roy, J)

Adnan/-

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