

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18970 of 2018

Lalan Dass, Son of Late Makhan Das, resident of Bari Khagaul, P.O. and P.S. Khagaul, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar to The Principal Secretary Revinew Dept.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Sub-Divisional Officer, Patna Sadar, Patna.
5. The Deputy Collector Land Reforms, Patna.
6. The Circle Officer, Phulwari Sharif, Patna.
7. The Officer-in-Charge, Phulwari Sharif, Patna.
8. The Patna Municipal Corporation through its Chief Executive Officer, Patna.
9. The Executive Officer, Phulwari Sharif Nagar Parishad, Phulwari Sharif, Patna.
10. M/s Arya Awash Construction Pvt. Ltd. having its registered office at 464, Rukanpura, Jagdeo Path, P.S. Rupaspur, District- Patna through its one of the Director Bipin Kumar, S/o M.P. Singh, resident of Village and P.O. Mor, P.S. Mokama, District- Patna.
11. Smt. Parmila Chaudhary, W/o Sri Govardhan Choudhary, Resident of Village- Babu Tola, Maya Niketan, Ward No. 6, Near Bhagwati Asthan, Vikarmshila Nagar, P.O. and P.S. Kagalgaonv, District- Bhagalpur.
12. Kameshwar Prasad, S/o Shivnandan Singh, Resident of Bhusaula Danapur, Mubarakpur, Pokharpar, P.S.- Phulwari Sharif, District- Patna.
13. Vikash Kumar, S/o Kameshwar Prasad, Resident of Bhusaula Danapur, Mubarkapur, Pokharpar, P.S.- Phulwari Sharif, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Tuhin Shankar, Advocate
For the Respondent/s	:	Mr.Sajid Salim Khan, SC-25
For PMC	:	Mr. Prasoon Sinha, Sr. Advocate
		Mr. Prabhat Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-01-2026

Heard Mr. Tuhin Shankar, learned counsel for the



petitioner and Mr. Prasoon Sinha, learned counsel for the Patna Municipal Corporation.

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

(i) for a direction to the respondent Authorities the (Respondent No. 3 to 8) to perform their statutory duties in protecting the right and interest of the petitioner over his land in question situate at Mauza Bhusaula Danapur, P.S. Phulwari Sharif, District Patna, (Thana No. 40, Khata No. 506, Survey Plot No. 2040 (part), area 2 Katha 7 dhur) which is being usurped by a builder purportedly on the basis of a sham Development Agreement executed by Respondent No. 11 with regard to petitioner's land;

(ii) for a further order restraining the respondent number No. 10 and 11 from interfering into the peaceful possession of the petitioner's over the land in question as well as from making any



trespass/disturbance over the land in question by appropriate order to that effect to the Respondent State Authorities in protecting the petitioner's right on the land in question;

(iii) for further order/direction to the local police authorities to register an FIR against the respondent No. 10 to 13 and to provide adequate safety and security to the petitioner from the constant grave threat and danger on the petitioner's valuable life and security by the builder and its Directors and/or their agents/henchmen of the said respondents;

(iv) to further direct the respondent Patna Municipal Corporation to enquire and initiate proceeding against the respondent Builder with regard to the illegal act of entering into petitioner's land and undertaking the illegal construction work without any sanction/approval boundary wall etc. and/or to take action if any



approval has been taken on the fraudulent Development Agreement with regard to the Petitioner's land and to further pass orders staying the illegal construction being undertaking over the land in question.

security by the builder and its Directors and/or their agents/henchmen of the said respondents;

(iv) to further direct the respondent Patna Municipal Corporation to enquire and initiate proceeding against the respondent Builder with regard to the illegal act of entering into petitioner's land and undertaking the illegal construction work without any sanction/approval boundary wall etc. and/or to take action if any approval has been taken on the fraudulent Development Agreement with regard to the Petitioner's land and to further pass orders staying the illegal construction being undertaking over the land in question.

3. Mr. Shankar learned counsel for the petitioner



submits that grievance of the petitioner has been redressed and as such he may be permitted to withdraw the petition.

4. Accordingly, the writ petition is dismissed as withdrawn.

(Rajiv Roy, J)

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