

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20666 of 2025

1. Anand Kumar Kedia Son of Late Binod Kumar Kedia, Resident of Village-Madhuban Bazar, Post Office-Gulwara Madhuban, Police Station-Madhuban, District-East Champaran.
2. Amit Kumar Kedia, Son of Late Ajay Kumar Kedia, Resident of Village-Madhuban Bazar, Post Office-Gulwara Madhuban, Police Station-Madhuban, District-East Champaran.
3. Anurag Kumar Kedia, Son of Late Ajay Kumar Kedia, Resident of Village-Madhuban Bazar, Post Office-Gulwara Madhuban, Police Station-Madhuban, District-East Champaran.
4. Anjani Kumar Kedia, Son of Late Ajay Kumar Kedia, Resident of Village-Madhuban Bazar, Post Office-Gulwara Madhuban, Police Station-Madhuban, District-East Champaran.
5. Most. Kaushalya Devi, Wife of Late Ajay Kumar Kedia, Resident of Village-Madhuban Bazar, Post Office-Gulwara Madhuban, Police Station-Madhuban, District-East Champaran.
6. Archana Sandhalia, Daughter of Late Ajay Kumar Kedia, Wife of Rakesh Sandhaliy, at 9-1-128 Oxfor Enkham, 5th Floor, Flat No. 205, Sanjani Devi Road, Sikandrabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar State Bridge Construction Corporation, New Secretariat, Patna.
2. The Principal Secretary, Environment Department, State of Bihar.
3. The Chief Engineer, Bridge Construction Corporation, Bihar, Patna.
4. The Executive Engineer, Bridge Construction, Bihar, Patna.
5. The State of Bihar through Principal Secretary, Road Construction Department.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Respondent/s : Mr. Additional Advocate General (4)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-04-2026 Heard Mr. Dhananjay Kumar, learned counsel for the

petitioners, Mr. Vikas Kumar representing the Bridge

Construction Corporation, Bihar, Patna and Mr. Surendra Kumar



Singh for the State.

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

“(i) To issue rule in the nature of Mandamus commanding the Respondents not proceed with construction work of Pulia (Bridge) connecting Areraj Temple to Kedia Dharmshala, over Tilwa river comprising an area of 32' wide and 105' long Bridge alongwith Pucca road falling over landed premises of Kedia Dharmshala of the petitioner.

(ii) To command the Respondent to utilise existing road passing just by the side of Kedia Dharamshala which exists since long through which Pilgrims may visit, Areraj temple smoothly without any hindrance and disturbance to anyone.

(iii) To grant any other relief or reliefs for which the petitioners are legally entitled.”

3. The petitioners claim to own Kedia Dharmshala at Areraj closer to the Areraj Temple. The newspaper information which is part of the writ petition shows that for the development



and tourism/renovation of the Someshwar Nath Temple (henceforth for short, 'the Temple') purposes, the State Government sanctioned some amount. Amongst other, it included the construction of a foot over-bridge to connect 'the Temple' with the Dharamshala. The second press release which has been annexed by the petitioners themselves show that their stand earlier was that they have no objection to the said construction.

4. However, in the present writ petition, the claim is that without any written consent, the respondents are constructing the foot over-bridge connecting 'the Temple' with the Dharamshala which is their private premises.

5. The paragraph-11 of the petition, however shows that the petitioners are fighting **Misc. Appeal No. 772 of 2023** with the Bihar State Religious Trust Board (henceforth for short 'the Board') and their own contention is that once the said appeal comes to an end, they be entitled for the compensation.

6. The Bridge Construction Corporation has filed its affidavit and Mr. Vikas Kumar has submitted that:

“(i) admittedly, the petitioners are fighting the battle with 'the Board' but surprisingly, it has not been made party-respondent in the



present case;

(ii) a Miscellaneous Appeal has already been filed by the petitioners which is pending adjudication and without waiting for the result, they have jumped into the sea;

(iii) save and except the press release, there is no document on record to show the bona fide of the petitioners;

(iv) they have already directed the Circle Officer, Areraj to look into the matter and ascertain the ownership.

7. Having heard the parties, this Court is of the opinion that the learned counsel for the Bridge Construction Corporation, Bihar, Patna has rightly pointed out that ‘the Board’ is a stake holder to the entire episode but it has not been made party-respondent in the case. Further, admittedly, a case between ‘the Board’ and the petitioners is pending and naturally, the result of the said case will affect the merit of the claim put forward by the petitioners inasmuch as presently the title of the said Dharamshala is disputed. It is to be noted that the petitioner has not brought a single document to show their claim over the Dharamshala.



8. So far as the State Government is concerned, they have given a reasonable explanation that they are looking into the matter and have asked the Circle Officer to ascertain the status of the land/ownership.

9. In that background, it would be appropriate for the parties to wait for the outcome of the **Misc. Appeal No. 772 of 2023** and if at all, the order goes in favour of the petitioners, in view of the statement that has been made on record by the Bihar State Bridge Construction Department, they can lay claim for the relief.

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

(Rajiv Roy, J)

Adnan/-

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