

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1801 of 2026

1. Jitendra Kumar Son of Nagendra Sharma, Resident of Village Chhotiya, Police Station - Hulasganj, District - Gaya.
2. Rangnath Sharma, Son of Lakshman Sharma, Resident of Mohalla Jheelganj, Police Station - Kotwali, District - Gaya.
3. Ajay Kumar, Son of Ramadhir Singh, Resident of Mohalla Jhilganj, Police Station - Kotwali, District - Gaya.
4. Ram Kumar Sharma, Son of Uday Sharma, Resident of Mohalla - Bajrang Colony, Pahsi Lane, Near Balti Factory, Police Station - Kotwali, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar.
3. The District Magistrate cum Collector, Gaya.
4. The Additional Collector, Gaya.
5. The Deputy Collector Land Reforms, Gaya.
6. The Sub Divisional Officer, Sadar Gaya, District Gaya.
7. The Circle Officer, Sadar Gaya Circle, District Gaya.
8. The Station House Officer, Kotwali Police Station, District Gaya.
9. The Union Of India through the Senior Divisional Engineer, East Central Railway, Deen Dayal Upadhyay Division, Uttar Pradesh.
10. The Senior Divisional Engineer, East Central Railway, Deen Dayal Upadhyay Division, Uttar Pradesh.
11. The Assistant Divisional Engineer, East Central Railway, Deen Dayal Upadhyay Division, Uttar Pradesh.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Singh, Advocate
For the State	:	Mr. P.K. Verma, A.A.G.-3
		Mr. Sanjay Kumar Ghosarvey, A.C. to A.A.G.-3
For the Railway	:	Mr. Sanjeev Kumar, Advocate
For the Intervenor	:	Mr. Dinu Kumar, Advocate
		Mrs. Ritika Rani, Advocate
		Mr. Ritu Raj, Advocate
		Mr. Vardaan Mangalam, Advocate
		Mrs. Kanika, Advocate



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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date : 19-06-2026

Heard learned counsel for the parties.

2. This Public Interest Litigation has been filed alleging that land belonging to the Railway Authorities is being encroached upon by private individuals.

3. Learned counsel appearing for the contesting respondents invites the attention of this Court to paragraph 4 of the order dated 09.04.2026, which is extracted hereinbelow:

" 4. It is contended by the learned counsel for the intervenors that intervenor petitioner no. 3, Bamdeo Sharma, along with two others, namely Kunti Kumari and Kunal Kishore, had instituted Title Suit No. 5/06/406/05 against the Eastern Railways through its General Manager, Headquarters, Hajipur. The said suit was dismissed vide judgment and decree dated 07.01.2012. Aggrieved by the same, the plaintiffs preferred Title Appeal No. 67-12/11-12 before the learned Additional District Judge-IV, Civil Court, Gaya, who, vide order dated 04.05.2018, was pleased to set aside the judgment dated 07.01.2012 and decree dated 08.01.2012, and remitted the matter back to the learned Sub Judge, Gaya for fresh consideration."



4. In view of the aforesaid facts, it is apparent that the Title Suit is presently pending before the learned Sub-Judge, Gaya, pursuant to the remand order passed by the learned Additional District Judge-IV, Civil Court, Gaya. In such circumstances, parallel proceedings in respect of the same subject matter ought not to be entertained. Further, upon consideration of the submissions advanced on behalf of the parties, we are of the considered view that the dispute is essentially civil in nature. Questions relating to title, ownership and alleged encroachment can appropriately be adjudicated only on the basis of evidence to be led by the respective parties before the competent Civil Court.

5. Learned counsel for the petitioners has submitted that certain intervenors have entered appearance in the present proceedings and, therefore, their claims ought to be considered by this Court.

6. Having considered the aforesaid submission, we are of the opinion that the law provides an adequate remedy for impleadment of necessary parties before the Civil Court under the provisions of the Code of Civil Procedure. The intervenors are at liberty to avail such remedies as may be available to them in accordance with law before the competent Civil Court.

7. In the aforesaid circumstances, we find no reason to keep the present Public Interest Litigation



pending. The writ petition stands dismissed and disposed of, accordingly.

(Meenakshi Madan Rai, CJ)

(Soni Shrivastava, J)

Neha/-

AFR/NAFR	
CAV DATE	
Uploading Date	22.06.2026
Transmission Date	

