

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.908 of 2026

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Nandlal Kumar Son of Shatrudhan Singh, Resident of Naipokhar, P.O. and
P.S.- Rajgir, District- Nalanda, Bihar- 803116.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The District Magistrate cum Collector, Nalanda, Bihar.
4. The Superintendent of Police, Nalanda, Bihar.
5. The Executive Officer, Nagar Parishad, Rajgir, District- Nalanda, Bihar.
6. The Junior Engineer/ Assistant Engineer, concerned, Nagar Parishad, Rajgir, District- Nalanda, Bihar.
7. Sub-Divisional Police Officer, Rajgir, Nalanda, Bihar.
8. The Circle Officer, Anchal Rajgir, Bihar.
9. The SHO, Rajgir, Nalanda, Bihar.
10. Ashok Kumar, Vill- Shiv Sthan Colony, P.O. and P.S.- Rajgir, District- Nalanda, Bihar- 803116.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Priyanka Kumari, Advocate
For the State : Mr. P.K. Shahi, A.G.
For the Resp. Nos. 6 & 7: Mr. Rajiv Ranjan Kumar Pandey, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date : 11-02-2026

This writ petition has been filed in the nature of



Public Interest Litigation seeking the following reliefs:

"(i) For issuance of a writ of Mandamus and/or any other appropriate writ, order or direction, commanding the respondent authorities to duly enquire into the matter and to construct the road strictly in accordance with the sanctioned Work Order dated 14.08.2025, and further to remove the illegal deviation, whereby the width of the road constructed at the encroachment-removed portion has been reduced to less than 14 feet, in gross violation of the approved plan and the said Work Order.

(ii) For issuance of a writ of Mandamus and/or any other appropriate writ, order or direction, commanding the respondent authorities to consider and dispose of the representations dated 18.09.2025 and the RTI applications dated 15.09.2025 and 29.08.2025, and to act thereupon strictly in accordance with law.

(iii) For issuance of an appropriate writ, order/orders, direction/directions in favour of the Petitioners as your Lordships may deem fit and proper in the facts and circumstances of the case."

2. The Respondent No. 6 has filed a counter affidavit wherein, in paragraphs 5 and 6, it has been stated as follows:

"5. That the facts in brief as indicated in the present writ petition is that the petitioner raised



objection upon the construction work of a public road undertaken by the authorities concerned saying that it was constructed by reducing it's width in violation of the order work and the approved estimate. However, from perusal of the record it appears that a scheme for construction of road and drain under NIT-08/2024-25 (Group No. 61) in Ward No. 29 from Rahariya Pool Pappu Yadav Cement shop Peepal tree to near house of Anand Kumar under Rajgir Nagar Parishad, Nalanda was approved for implementation. It is further stated that the said scheme was sanctioned for the estimate of the Scheme No. NIT-08/2024-25 for cost worth Rs. 9,95,700/- and agreement cost was fixed as Rs. 8,86,173/-. It is relevant to mention here that as per estimate administrative and technical sanction was given and then work order vide memo no. 3219, dated 14.08.2025 has been issued under the signature of the answering respondent.

6. That it may not be out of context that the entire construction work of drain and road was completed within time by the contractor and after due measurement as per estimate, MB was prepared by the concerned technical officers and after approval of the measurement book, payment of the expenses against the construction work of the said scheme has been made to the contractor."



3. In view of the stand taken by Respondent No. 6, we are of the view that nothing survives for adjudication in this Public Interest Litigation.

4. Accordingly, this writ petition stands disposed of.

(Sangam Kumar Sahoo, CJ)

(Alok Kumar Sinha, J)

Neha/-

AFR/NAFR	
CAV DATE	
Uploading Date	12.02.2026
Transmission Date	

