



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2331 of 2026

Manoj Kumar Son of Late Ganesh Vishwakarma, Residence of permanent address- Village- Bhore, P.O.- Fatehpur, P.S.- Fatehpur, District- Gaya (Bihar), at present residing in Sector 4/G, Quarter No. 4101, Bokaro Steel City, District- Bokaro (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Magadh Divsiion, Gaya.
3. The District Magistrate, Gaya.
4. The Superintendent of Police, Gaya.
5. The Land Reforms Deputy Collector, Gaya.
6. The Circle Officer, Fatehpur Anchal, District- Gaya.
7. The S.H.O., Fatehpur P.S., District- Gaya.
8. Shankar Vishwakarma, Son of Late Naresh Vishwakarma, Resident of Village- Bhore, P.S. and Anchal- Fatehpur, District- Gaya.
9. Shakaldeo Vishwakarma, Son of Late Naresh Vishwakarma, Resident of Village- Bhore, P.S. and Anchal- Fatehpur, District- Gaya.
10. Santosh Vishwakarma, Son of Late Naresh Vishwakarma, Resident of Village- Bhore, P.S. and Anchal- Fatehpur, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dr Ashok Kumar Sharma, Advocate
For the Respondent/s	:	Mr. Standing Counsel 24, Anirban Kundu
		Mr. Rajat Kumar Tiwary, AC to SC – 24
		Mrs. Deepika Sharma, AC to SC-24

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-04-2026 Heard Dr. Ashok Kumar Sharma, learned counsel for the petitioner, Mr. Arvind Prasad Singh representing respondent nos. 8 to 10 and Mrs. Deepika Sharma for the State.

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





“(A) For issuance of an appropriate writ, order or directions, particularly in the nature of writ of Mandamus;

(i) to directing the respondent 1st set to restrain the respondents 2nd set from alienate and transfer of the possession of the property in question till disposal of the Partition Suit No. 105/2021 which is still pending for final adjudication of the case since year 2021.

(ii) To cancel the jamabandi, if any, has been made in favour of the purchaser of the land which have been sold by the respondents 2nd set.

(iii) To direct the police authority to take legal action if the respondents 2nd set and their vendors have tried to take illegal possession over the property in question, as mentioned in schedules of the partition suit no. 105/2021.

B) Any other relief/reliefs to which the petitioner is found entitled to.”

3. A counter-affidavit has come on behalf of the respondent nos. 8 to 10 which shows that a Partition Suit No. 105 of 2021 is pending before a competent Court.





4. Considering the aforesaid facts, it would be appropriate that the petitioners fight out the Partition Suit No. 105 of 2021 by appearing/filing their affidavits.

5. In case, the pleadings are completed, after hearing the parties, the Court concerned shall be taking up the matter and dispose it of at an earliest.

6. In between, if there is any law and order problem, the parties are free to approach the competent Sub Divisional Magistrate and/or the Court where the partition suit is pending.

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

(Rajiv Roy, J)

Adnan/-

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