



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3233 of 2022

1. Md. Safi Ahmad @ Safi Ahmad Son of Md. Salim Resident of Vilalge and P.O.-Udaypur, P.S.-Sanjhauli, District-Rohtas. At Present Resident of Qr. No. f-116, B.T.P.S., Chak Bal, P.S.-Chatiya, District-Begusarai.
2. Md. Anwar Sadat Ansari Son of Late Ahmad Ansari Resident of Village- and P.O.-Udaypur, P.S.-Sanjhauli, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate Rohtas at Sasaram
3. The Sub-Divisional Officer, Bikramgnaj District-Rohtas.
4. The Circle Officer, Sanjhauli, District-Rohtas.
5. The Superintendent of Police, Rohtas at Sasaram.
6. The S.H.O. Sanjhauli Police Station, District-Rohtas.
7. Brothers of Sant Gabriyal Education Society, Ranchi, Jharkhand Representative Jatrom Michel Son of Late Tobiyas Jatrom, Resident of 128 Kurji Patliputra, P.S.-Patliputra, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Respondent/s : Mr. Sajid Salim Khan (SC25)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 05-12-2025 The instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking the following relief(s):-

“ 1. That the petitioners craves indulgence of this Hon'ble Court for issuance of an appropriate writ in the nature of mandamus or any other writ/writs, order/orders, direction/directions, command/commands directing the respondents to remove the boundary wall which has been constructed by Respondent no.7 with the help of local authority over all the surrounding





plots of the lands of petitioners due to which the Rasta of the petitioners for outgress and ingress over their agricultural land bearing Khata no.2, plot no.273, area 55 decimals and Khata no.41, Plot no.272, area 40 decimals situated in Mauza Dhokara, P.S.-Sanjhaula, District-Rohtas has been blocked due to which the petitioners are unable to do their agricultural work over the aforesaid land and they are suffering irreparable loss and any other relief/reliefs for which the petitioners are legally entitled in the facts and circumstances of the case.”

2. Mr. Rajani Kant Singh, learned counsel for the petitioners and Mr. Sajid Salim Khan, learned SC-25 for the State-respondents are present and they are heard.

3. The main grievance raised by the petitioners in this writ petition is that private Respondent No. 7 has constructed a boundary wall over all the lands surrounding the petitioners' land, due to which the petitioners' passage for ingress and outgress has completely been blocked, resulting in their inability to carry out agricultural work on their land.

4. It is submitted by the petitioners' counsel that Respondent No. 5, in his counter affidavit, has mentioned that in the presence of the S.H.O., Sanjhauli Police Station, after hearing the petitioner and the representative of Respondent No. 7, it was ordered that Respondent No. 7 shall not make





any obstruction in the petitioners' agricultural work, and this statement in itself proves the petitioners' allegation.

5. After hearing both sides, this Court is of the view that the above-mentioned dispute is between two private parties, the petitioners and Respondent No. 7 and relates to the alleged violation of the petitioners' right of passage pertaining to ingress and egress to their agricultural land. The issue requires sufficient evidence from both sides, which cannot be adjudicated by this Court under its writ jurisdiction. The best remedy available to the petitioners for redressal of their grievance is before the Civil Court.

6. Accordingly, the instant writ petition is disposed of, granting liberty to the petitioners to approach the Civil Court for redressal of their grievance.

7. If the petitioners file the civil suit within four weeks from today, then the period spent by the petitioners in this writ petition shall be excluded while computing the limitation period for the said civil suit.

(Shailendra Singh, J)

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