



2026:PATHC:36805

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.742 of 2025

Sarita Devi Wife of Rajendra Prasad Resident of Village- Akauni, P.S.- Daud Nagar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Lands Revenue Department, Government of Bihar, Patna.
2. The Collector, Aurangabad, District- Aurangabad.
3. The Sub Divisional Officer, Daud Nagar, Aurangabad.
4. The Revenue and Land Reforms Officer, Daudnagar.
5. The Circle Officer, Daudnagar, Aurangabad.
6. The Executive Officer, Nagar Parishad Daudnagar, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindeshwar Prasad Singh, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5
		Mr. Vishwambhar Prasad, AC to AAG-5
For the Resp No. 6	:	Mr. Chandrakand, Advocate
		Mr. Sudhanshu Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 20-04-2026

Heard the parties.

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

“for issuance of the writ in the nature of Mandamus or any other writ/writs, direction/directions to the Respondents authority particular Respondent no. 5 circle officer DaudNagar to ban on construction of a boundary wall of park on the raiyati land of the petitioner in mauza Daudnagar, khata no. 595 Plot no. 1469, Area 10.5 decimals, Boundary North Anil Baitha, South Rasta, East Saroj Devi west Gopal Singh Where by where under with 12 Out notice/Information, Suddenly come to know that a park wall is going to built on his Raiyati land which has been purchased by registered deed in 2013 for construction of house.





Then has given representation before authority but same has no effect.”

3. The kind of dispute that has been raised by the petitioner and countered by the State/Nagar Parishad, clearly, it has to be adjudicated before a competent Civil Court.

4. Learned counsel representing the respondents has provided an order passed in **CWJC No. 4033 of 2025 (Shahid Ansari vs. The State of Bihar & Ors.)** disposed of on 20.03.2025 by a Coordinate Bench in which considering the matter to be a dispute of civil nature, the petitioner was advised to move before a competent Civil Court.

5. This Court has no reason to differ from the said order passed in Shahid Ansari (supra) case.

6. The writ petition stands disposed of with liberty to the petitioner to approach before the competent Civil Court for the redressal of the grievance.

(Rajiv Roy, J)

Adnan/-

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