

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.377 of 2026

Baladev Yadav S/o- Late Bhadhya Yadav, R/v- Murli W. No-3, Ps- Bhaptiyahi, Dist- Supaul.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Information Department, Bihar, Patna Bihar
2. The District Magistrate, Supaul Bihar
3. The Sub Divisional Magistrate, Supaul Bihar
4. The Circle Officer, Saraigardh Bhaptiyahi, Supaul Bihar
5. The Circle Chief Executive Officer of Indus Tower Ltd. Alankar Business Centre East Boarding Canal Road, Patna, Bihar
6. Parmeshwar Yadav S/o- Late Bachcha Yadav Vill Po- Murli Ps- Bhaptiyahi Dist- Supaul

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Amar Nath Yadav, Advocate
For the Respondent/s	:	Mr. Sita Ram Yadav, G.P.-16
		Mr. Jitendra Kumar, AC to GP-16

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-07-2026

Heard learned counsels for the parties.

2. The present writ petition has been filed seeking

following reliefs:

“(i) For the issuance of a writ in the nature of Mandamus in order to direct the concerned respondent authority specially the respondent no.05 to remove the illegally installed/erected Mobile tower from the plot no.999, which belongs to the petitioner.

(ii) For issuance of a writ in the nature of mandamus for directing specially the respondent no.05 for forbidding/restraining the illegally installing/erecting work of Mobile tower over the petitioner's plot of land which had been purchased by him (the petitioner) in the year 1955.

(iii) For issuance of an appropriate writ/writs, direction/directions, commanding the



respondent authority to preclude himself from erecting the Mobile tower over the petitioner's plot of land and further directing him to remove the incomplete installed tower from his plot of land i.e. from plot no. 999."

3. From bare perusal of the reliefs sought by the petitioner, it is evident that the present criminal writ petition filed under Article 226 of the Constitution of India is not maintainable as it is a dispute between private parties and the petitioner has other remedies available for redressal of his grievances. Even the annexure shows that other parties are involved in the dispute apart from the private respondent, who is stated to have executed the lease agreement in favour of respondent no. 5.

4. At this stage, learned counsel for the petitioner seeks permission to convert the present criminal writ petition into a civil writ petition.

5. Permission, as prayed for, is accorded.

6. Accordingly, learned counsel for the petitioner is directed to convert the present criminal writ petition into a civil writ petition within two weeks.

7. Office is directed to extend all cooperation towards the aforesaid conversion.

(Arun Kumar Jha, J)

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