

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3322 of 1994

1. Rama Nand Yadav.

2. Lakshmi Yadav.

Sons of Late Anup Lal Yadav, Both resident of Village-Koskapur Tola Navtolia,
P.S.-Raniganj, District-Araria.

.... **Petitioner/s**

Versus

1. The State of Bihar.

2. The Deputy Secretary, Revenue & Land Reforms, Government of Bihar, Patna.

3. The Commissioner, Purnea Division, Purnea.

4. The Collector, Araria.

5. The Additional Collector, Araria.

6. The Deputy Collector, Land Reforms, Araria.

7. The Circle Officer, Raniganj, District-Araria.

.... **Respondent/s**

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

For the Respondent/s :

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

Date: 30-06-2015

Heard learned counsel appearing on behalf of the
petitioners.

2. The petitioners are aggrieved by an order dated
15.09.1992, passed by the Additional Collector and
Collector, Araria, whereby, they have refused to approve



the proposal made by the Deputy Collector Land Reforms, Araria for making corrections in Revisional Survey Records of Rights with respect to lands, appertaining to Khesra Nos. 6120, 6122, 6123, 6125 and 6129, all under Khata No. 1840 of Mauza-Koskapur under the district of Araria.

3. It was the case of the petitioners before the Deputy Collector Land Reforms that out of mistake in the Revisional Survey Record of Rights, the name of “Bihar Sarkar” was entered against the said lands, which belonged to the petitioners and, therefore, necessary correction was required. The Deputy Collector Land Reforms found the claim to be correct and made proposal for necessary corrections in the revenue register. The Collector, however, rejected such proposal on the ground that there was no such provision for correction in the Records of the Revisional Survey, in the manner sought for by the petitioners. An appeal, preferred by the petitioners against the orders of the Collector and Additional Collector, was also rejected by an order dated 18.03.1993 passed by the Commissioner, Purnea Division, which is also under challenge in the present writ

application.

4. Learned counsel appearing on behalf of the petitioners, relying upon Annexure-1 to the writ application, has contended that the Revenue Department of the State Government of Bihar had noticed the discrepancies in entries of the Revisional Survey Records of Rights maintained in the District of Purnea, inasmuch as, in several cases, it was found that the name of “Bihar Sarkar” was wrongly mentioned in such Records, which required to be corrected by entering names of respective Raiyats. He has submitted that in view of the decision of the State Government, as contained in the letter dated 13.11.1973 (Annexure-1), the petitioners had filed an application before the Deputy Collector Land Reforms, Araria for necessary correction in the said Revisional Survey Records of Rights on the ground that “Bihar Sarkar” was wrongly mentioned in place of names of these petitioners.

5. He has insisted that the lands in question belonged to these petitioners and it was mere clerical mistake that in the Records of Rights, the name of “Bihar Sarkar” was recorded.

6. After some arguments, learned counsel, appearing on behalf of the petitioners, seeks permission to withdraw this application in the facts and circumstances of the case, in order to raise the plea before the Bihar Land Tribunal, constituted under the Bihar Land Tribunal Act, 2009.

7. Permission is accorded.

8. This application is, accordingly, disposed of as withdrawn but with the liberty as aforesaid.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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