

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8949 of 2022

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Jeevan Kumar Jha @ Jeevan Jha Son of Late Sahadev Jha Resident of
Village- Sukhsena, P.O.- Bhatottar Chakla, P.S.- Barhara Kothi, District-
Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Collector, Purnea.
2. The Collector, Purnea.
3. The Circle Officer Barhara Kothi, Purnea.
4. The Officer-in-Charge, Barhara Kothi, Police Station Purnea.
5. Rakesh Kumar Jha Son of Sri Chandra Shekhar Jha Resident of Village-
Sukhsena, P.O.- Bhatottar Chakla, P.S.- Barhara Kothi, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Amit Kumar Anand, Advocate
For the Respondents	:	Mr. Md. Khurshid Alam (AAG 12)
For Respondent No.5	:	Mr. Madhav Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 20-12-2022 Heard the parties.

The petitioner has prayed for the following reliefs:-

“(i) For issuance of an appropriate writ/order or direction directing and commanding the respondents to consider the case of the petitioner and to issue the Basgit Purcha in favour of the petitioner with respect to 0.02 decimals of land of Khersra no.2536 and for 0.06 decimals of land of Khesra no. 2538 both pertaining to Khata no.325, Thana no.144 of Mouza Sukhsena or to allow the Basgit Purcha issued on 6-10-2001 by the Collector (under the Act), Purnea in favour of the petitioner with respect to the said land.

(ii) For issuance of an appropriate writ restraining the respondents from taking any coercive step against the petitioner including eviction of the petitioner from the land in question and to allow the petitioner to live over the



aforesaid land.

(iii) For issuance of an appropriate writ directing the respondents to allow the Basgit Purcha issued on 6-10-2001 in Basgit Case no.03 of 2001-2002 by reviewing the order dated 21-8-2015 (Anx.-5) passed in C.W.J.C. No. 9296 of 2010 by this Hon'ble Court.

(iv) For issuance of an appropriate writ for quashing of the order/direction contained in Memo no.127 dated 17-5-2022 (Anx.-6) issued under the signature of the Circle Officer Barhara Kothi, Purnea by which the Officer in Charge, Barhara Kothi Police Station, Purnea has been requested to take necessary action according to law with regard to the land in question.

(v) For any other relief/reliefs of which the petitioner is legally entitled to."

Respondent No.5 filed a writ petition bearing C.W.J.C. No. 9296 of 2020 which was disposed of by a Bench of this Court vide order dated 21.08.2015 with a direction to the Circle Officer, Barhara Kothi, Purnea to decide the matter afresh and till the matter was finally decided by the Circle Officer, Barhara Kothi, Purnea, the parties shall maintain status quo over the land in question. The matter is pending since long.

The Circle Officer, Barhara Kothi, Purnea is directed to dispose of the pending application within two months from today.

In the meantime, the interim order dated 21.08.2015 passed in CWJC No. 9296 of 2020 shall be valid for the next two months.



With the aforesaid observations and directions, this writ petition is dismissed.

(Sandeep Kumar, J)

Harsh/BT

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