

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12701 of 2016

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Sharda Nand Kumar, Son of Mahanth Sah, Village-Pachrukhi, P.S.-Pachrukhi,
District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna.
2. District Collector, Siwan
3. Dy. Collector Land Reforms, Siwan, Sadar.
4. Circle Officer, Pachrukhi Circle, Pachrukhi, Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Adv.
For the Respondent/s : Mr. Parth Sarthy, GA-4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-11-2017 Heard Mr. Ravindra Kumar Shukla, learned Counsel
appearing on behalf of the petitioner and Mr. Parth Sarthy,
learned GA-4, appearing on behalf of the respondent-State.

The present Writ application has been filed for
commanding the respondents to get a Nazri Naksha prepared in
pursuance to an application submitted by the petitioner on
16.09.2015, before the respondent no.3, the Deputy Collector,
Land Reforms, Siwan, Sadar.

It is submitted by learned Counsel appearing on behalf of
the petitioner that the petitioner purchased two plots
appertaining to Khata no.379, Survey Plot No.2962, measuring
an area 2.23 decimal and Khata No.489, Survey Plot No. 2960-
2966, measuring 18.6 decimals, both the plots are situated in



Mauza-Sadikpur, P.S.-Pachrukhi, District-Siwan. After purchasing the land, the petitioner got the mutation done in his favour and started paying rent against the said plots. The petitioner submitted an application on 17.07.2015, as contained in Annexure-3, to the respondent no.4, Circle Officer, Pachrukhi, for getting the land in question measured and to issue Nazri Naksha. The petitioner also deposited the required cost for measurement of the land by Government Amin as directed by the authorities concerned. Thereafter, the petitioner submitted an application on 16.09.2015, as contained in Annexure-4 before the respondent no.3, the Dy. Collector, Land Reforms, Siwan, Sadar, with similar prayer for measurement and for issuance of Nazri Naksha. The application of the petitioner was forwarded to the respondent no.4, the Circle Officer, Pachrukhi, Siwan on 28.09.2015, but till date neither the measurement has been done nor the Nazri Naksha has been issued.

A counter affidavit has been filed on behalf of respondent nos. 2 to 4 contending therein that a measurement proceeding was initiated, being Measurement Case No. 19/2015-16, wherein, date of measurement was fixed for 16.03.2016, but it could not be done since one Vidya Singh filed Title Suit No. 40



of 2016, wherein, the petitioner is also a party respondent.

It is further submitted by learned Counsel appearing on behalf of the petitioner that Title Suit No.40 of 2016 has already been dismissed. Moreover, there was no such order obstructing the measurement or issuance of Nazri Naksha to the petitioner.

Mr. Parth Sarthy, learned GA-4 submits that in view of the present stand of the petitioner, the Writ application may be disposed of, as the measurement proceeding will be concluded and Nazri Naksha will be issued within a time frame.

In view of the present stand of the parties, the Writ application is disposed of with a direction to respondent no.4, the Circle Officer, Pachrukhi, to conclude the measurement proceeding and issue Nazri Naksha, after giving due opportunity of hearing to all affected persons within a period of four weeks of receipt/production of a copy of this order in accordance with law.

(Dinesh Kumar Singh, J)

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