

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10847 of 2018

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1. Arbind Kumar, S/o Late Mewalal Sao, Resident of Village-
Ramchandrapur, Sathopur, Block Biharsharif (Opp. Durgasthan), District-
Nalanda, Bihar.

2. Ramkhelawan Prasad @ Ramkhelawan Sah, S/o Late Buddhu Sao,

3. Rajendra Prasad @ Rajendra, S/o Late Buddhu, Both resident of Village-
Murarpur, P.O.- Biharsharif, P.S.- Laheri, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms, New
Secretariat, Patna.

2. The District Magistrate, Nalanda, Bihar.

3. The Additional Collector, Nalanda, Bihar.

4. The L.R.D.C. Biharsharif, District- Nalanda, Bihar.

5. The Circle Officer, Biharsharif, Nalanda, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Advocate

For the Respondent/s : Mr. Rishi Raj Sinha- SC19

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-06-2018 Heard both sides.

The petitioners have filed this writ petition for a
direction to the Circle Officer to issue rent receipts in favour of the
land standing in their names on deposit of land revenue.

Mr. Rajiv Kumar Verma, learned senior counsel
appearing on behalf of the petitioners submits that the lands of
different plots of different khatas situated in village Sathopur,
District Nalanda were standing in the name of the petitioners and
other persons. Their names were mutated but different



encroachment proceedings vide Encroachment Case No.16/2 of 1979-80 was initiated and the petitioner and others were directed to remove the encroachment. The petitioners and other landlords appeared and filed show cause. The Competent Authority found that by influx of time the nature of land changed and the petitioners and others have been in continuous possession of the land and they have perfected their title. Accordingly, the encroachment proceeding was dropped. It is further submitted that rent receipts were issued in favour of the petitioner and other landlords but all of a sudden the Revenue Authority stopped issuing rent receipts. The petitioner No.1 in order to meet the expenses of marriage executed the sale deed with regard to $\frac{1}{2}$ decimal of land and the same was presented before the District Registrar but the District Registrar/Sub Registrar refused to register the sale deed. Against that the petitioner No.1, Arbind Kumar filed CWJC No. 22242 of 2013 and this Court vide order dated 28.05.2015(Annexure-10) directed the authority to register the sale deed executed by Arbind Kumar, petitioner no.1, on such, the sale deed was executed but the authority stopped issuing rent receipts with regard to the remaining lands standing in the name of the petitioner. It is further submitted that the petitioner No.1 filed a petition on 03.05.2018 before the Circle Officer, Biharsharif,



Nalanda for issuance of rent receipts after taking tax from the petitioners but the Circle Officer did not pass any order nor directed the Revenue Clerk to issue rent receipts which have been stopped without any rhyme or reason.

Learned counsel for the State seeks adjournment for instruction but I think that this writ petition can be disposed of with a direction to the Circle Officer to pass order on the petition filed by the petitioner on 03.05.2018 with regard to issuance of rent receipts in favour of the petitioners.

Accordingly, I disposed of this writ petition with a direction to the Circle Officer to pass order on the petition of the petitioner No.1 filed on 03.05.2018 within two weeks from the date of receipt of this order. Accordingly, this writ petition stands disposed of. If petitioner Nos.2 and 3 file petition they shall also be disposed of within same time.

(Prabhat Kumar Jha, J)

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