

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1224 of 2019**

Nilam Devi, wife of Late Raghwendra Prasad Singh, Resident of Ward no.17,  
South Hajipur, Near Shiv Mandir, District-Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar Through the Principal Secretary, Revenue and Land Reform, Government of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Director, Land Records and Survey, Government of Bihar, Old Secretariat, Bailey Road, Patna.
3. The District Magistrate Cum Collector, Bhagalpur.
4. The Settlement Officer, Bhagalpur.
5. Sun-Divisional Officer (SDO), Sadar Bhagalpur.
6. The Circle Officer (CO), Jagadishpur, Bhagalpur.

... .. Respondent/s

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Bhupendra Narain Sinha   |
|                      |   | Mr. Md. Najmul Hodda         |
| For the Respondent/s | : | Mr. Sajid Salim Khan, S.C.25 |

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

ORAL ORDER

3      22-01-2019                      Heard learned Counsel for the parties concerned.

It is the stand of the petitioner that her mother-in-law, namely, Prembada Devi, had filed a miscellaneous case on 02.07.1985, before the Superintendent of Survey, Municipal Corporation, Bhagalpur, for correction of her name, which was wrongly entered as 'Premlata Devi' in place of 'Prembada Devi'. By an order, dated 27.01.1986, the Assistant Settlement Officer had allowed the application and directed for necessary correction in the survey khatian. The Collector -cum -Settlement Officer, Bhagalpur, has come out with a press release issued in a Hindi daily on 13.10.2018, whereby certified



copy of the said order dated 27.01.1986 has been declared to have been fraudulently issued and obtained by the petitioner. It is submitted on behalf of the petitioner that before cancellation of the said certified copy of the order dated 27.01.1986, the petitioner or any member of the family was not given any opportunity of hearing.

On perusal of the press communique, issued by the Collector, Bhagalpur, it appears that the decision to cancel the certified copy of the order dated 27.01.1986 has been taken on the basis of recommendation of Three-Member Committee. It has been indicated in the press communique that the certified copy of the said order is forged.

As has been noticed, since, the only plea, which is being taken on behalf of the petitioner, is that the press communique has been issued without giving the petitioner any opportunity of hearing, I dispose of this writ application with a direction to the Collector, Bhagalpur, to give the petitioner an opportunity of hearing if the petitioner files an application in support of his case before the Collector within three weeks from today.

Though, there shall be no requirement of giving personal hearing to the petitioner, the Collector, Bhagalpur, may



do so, if required, and take a final decision within one month after filing of application by the petitioner along with a copy of the present order.

It is further directed that till the final decision is taken by the Collector, the petitioner shall not use the certified copy of the said order dated 27.01.1986 for any purpose whatsoever.

This application stands disposed of.

**(Chakradhari Sharan Singh, J.)**

ragini/-

|   |   |  |  |
|---|---|--|--|
| U | √ |  |  |
|---|---|--|--|

