

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20780 of 2018

Sanjay Kumar Mishra Son of Late Chunni Lal Mishra Resident of Pipar Pati Road, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Collector-cum-District Magistrate, Munger, District- Munger.
2. The Additional Collector, Munger, District- Munger.
3. The District Khas Mahal Officer, Munger.
4. Deputy Collector, Land Reforms, Munger Sadar (Munger), District- Munger.
5. The Sub-Divisional Officer, Munger, Sadar, Munger, District- Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh
For the Respondent/s : Mr. Rakesh Ranjan, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 15-07-2019 Through Letter No. 134, dated 25.07.2017, issued by the Khas Mahal Department of the Collectorate, Munger, the petitioner has been asked to explain the circumstance, in which he is occupying certain lands situate in Thana No. 133, Khata No. 314, Khesra No. 513, admeasuring 0.10 acre (*Gairmajarua Malik*) and Plot No. 514, Khata No. 318, area 0.25 acre (*Gairmajarua Aam*). The petitioner has been asked to state as to whether the land has been given by the Khas Mahal Department under lease or not and whether *Malguzari* rent is being paid to the Khas Mahal Department or not.

Instead of responding to the said letter, dated



25.07.2017, the petitioner has approached this Court by filing the present writ application.

I do not find any reason to entertain this application at the present stage. A counter affidavit has been filed on behalf of the State respondents, from which it appears that State of Bihar had filed Title Suit No. 90 of 1972 for recovery of possession of *Gairmajarua Aam* land bearing Khata No. 513. It has further been stated that the said suit has been decreed holding possession of the defendants therein as of trespasser liable to be ejected. Title Appeal No. 16 of 1976, preferred by the defendants in the title suit, has been allowed on the ground of adverse possession in respect of an area of three decimal only of Plot No. 513.

I need not go into all these aspects, in the background of the nature of dispute. The petitioner may file his response to the said notice to explain the circumstance in which he is in possession over the land in question.

This application is disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

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