

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15955 of 2019

Kumbhkar Sahyog Samittee Abjuganj, P.S.- Sultanganj, Distt.- Bhagalpur through its Chairman, namely Naresh Pandit, Male, Aged about 67 years, son of late Shanichar Pandit, resident of Afjuganj, P.s.- Sultanganj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Collector Distt.- Bhagalpur
3. The Deputy Collector Land Reforms, Sultanganj, Distt.- Bhagalpur
4. The Circle Officer Sultanganj, Distt.- Bhagalpur
5. Ram Narayan Sah S/o Late Surya Naryan Sah Vill. and P.o.- Abjuganj, P.s.- Sultanganj, Distt.- Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Mr.Maruth Nath Roy
For the State	:	Mr.Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 07-08-2019 Heard learned counsel for the parties.

The petitioner has filed this writ application for a direction to the official respondents to demarcate the land, which belongs to Kumbhkar Sahyog Samittee, Abjuganj, in the district of Bhagalpur, bearing Khata No.331, Plot No. 463, admeasuring 1.55 acre.

Mr. Ajay Kumar, learned counsel for the petitioner, has submitted that Bihar Tenancy Rules, 1885 has been recently amended by Bihar Tenancy (Amendment) Rules, 2018 (for short 'the (Amendment) Rules, 2018 with effect from 28.02.2018, enabling any person to make an application in Form 36 thereof for measurement of his *raiya* land before the Circle Officer.

My attention has been drawn to Annexure-5 to the



writ application, to submit that the petitioner has already filed an application before the Circle Officer for measurement of the land, in question.

After coming into force of the (Amendment) Rules, 2018, as noted above, for seeking measurement of the land, an application is to be made in Form 36 before the Circle Officer. The application, which the petitioner is said to have submitted was before coming into force of the said amendment.

This writ application is, thus, disposed of with a liberty to the petitioner to make an application before the Circle Officer for measurement of the land.

This is to be noted that the Amendment Rules, 2018 clearly provides the time within which such application is to be decided. The Court expects that the competent authority shall adhere to the time-limit, while considering the petitioner's application.

(Chakradhari Sharan Singh, J)

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