

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20853 of 2019

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Sachchida Nand Singh S/o Surendra Prasad Singh Resident of Village-
Kalichak, P.S.- Hilsa, Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Collector Nalanda
3. The District Consolidation Officer Nalanda
4. The Circle Officer Parwalpur, P.S.- Hilsa, Distt.- Nalanda
5. The In-charge Officer SHO, Hilsa, Distt.- Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha
For the Respondent/s : Mr.Rishi Raj Sinha (SC19)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-10-2019 Heard both sides.

The petitioner filed this writ petition for a direction upon the respondents to protect the liberty and property of petitioner and to make a declaration regarding revenue Mauza Shankardih of Parwalpur block under Nalanda District as to whether the said Mauza is notified under Section 26A of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 or the said notification has not taken its effect w.e.f. 08.11.1984 so that to avoid uncertainty amongst the Raiyat including this petitioner in the Mauza and for any other relief/ reliefs to which the petitioner may be found entitled to, in the facts and circumstances of the case.

From the facts, it appears that in Mauza Shankardih the consolidation proceeding was going on and after closure of consolidation proceeding the notification under Section 26A of



the Bihar Consolidation of Holdings and Prevention of Fragmentation Act (hereinafter referred to as the Act) was issued on 08.11.1984. Once the notification u/s 26A of the Act is issued by the competent authority showing that consolidation proceeding is over the land owners shall have title over the land according to record of rights prepared by the consolidation authority but no such notification under Section 26A of the Act is annexed with the writ petition and in absence of such this court cannot pass any order under writ jurisdiction that the petitioner is entitled to have right over the land on the basis of the records of rights prepared by the consolidation authority.

Having considered the facts, I do not find any merit in this writ petition and the same is, accordingly, dismissed with liberty to the petitioner to approach the consolidation authority for redressal of his grievance.

(Prabhat Kumar Jha, J)

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