

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24323 of 2019

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Ranjan Kumar Chaudhary, s/o Deo Narayan Chaudhary, resident of village-
Choura Parwaha, P.O.- Majhua, P.S.- Forbesganj, Distt.- Araria

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Purnea.
3. The District Magistrate, Araria.
4. The Deputy Collector Land Reforms, Forbesganj, Araria.
5. The Sub Divisional Officer, Forbesganj, Araria.
6. The Circle Officer Forbesganj, Araria.
7. Md. Azim, s/o Md. Yusuf, resident of village- Choura Parwaha, P.O.- Majhua, P.S.- Forbesganj, Distt.- Araria

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Singh, Advocate Mr. Ambrish Rahul, Advocate
For the Respondent/s	:	Mr. Rakesh Kumar Shrivastava, AC to GP -15

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 06-12-2019

Heard learned counsel for the petitioner and learned
AC to GP 15 for the State.

2. The petitioner has moved the Court for the
following reliefs:

“(A) Issuance of the writ in the nature of mandamus commanding the Respondents to make Measurement and demarcation of Raiyati Land of the petitioner for which the Bihar Land Tribunal, Patna, has also directed to the D.C.L.R. Forbesganj, Araria, for the same vide order dated 22.02.2018 in B.L.T. Case no.827 of 2016.

(B) The Respondents further be directed



without deviating any issue and under direction of the authorities only to measure and demark the purchased land of the petitioner through sale deed in 1974 and Rent Receipt paid up-till-now and in peaceful possession and if some portion encroached by Private Respondent be directed to remove.

- (C) The Respondents be directed to do their job which case upon them without influence and deviation of the order/direction of the authorities to lead peaceful life.*
- (D) To grant such other relief/reliefs for which the petitioner is entitled too.”*

3. The grievance of the petitioner is that the respondent no. 7, who claims to have purchased portion from the original chunk of land from which the petitioner also got 0.28¼ acres in the year 1974, is trying to create obstacles and encroach upon his land even after his *Jamabandi* having been cancelled by the authority.

4. Learned counsel for the State draws the attention of the Court to the amendment in Section 118 of the Bihar Tenancy Act, 1885, by the Bihar Tenancy (Amendment) Act, 2017, by which sub sections (2) and (3) have been added, giving right to a private person to get his *raiya* land measured by the *Anchal Amin*.

5. Learned counsel for the petitioner submitted that in view thereof, the writ petition be disposed off with liberty to him to file an application under the aforesaid provision.



6. Learned counsel for the State submitted that the Court may direct the authorities to act upon the same within a fixed time period.

7. In the aforesaid background, the writ petition stands disposed off with liberty to the petitioner to move an application before the concerned Circle Officer of the area for getting his *raiya* land measured by the *Anchal Amin* in terms of the aforesaid sections 118(2) and (3) of the Bihar Tenancy Act, 1885.

8. If such a petition is filed within one month from today, the Circle Officer (respondent no. 6) shall ensure that the required exercise in terms of the provisions of the aforesaid section is carried out, in accordance with law, in presence of the parties concerned, latest within two months from the date of filing of such application. Depending on the same, consequences, as provided for shall follow.

(Ahsanuddin Amanullah, J)

J. Alam/-

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