

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 1292 of 2020

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Ajit Kumar Tiwari aged about 24 years, Gender-Male, Son of Farindra Tiwari,
Resident of Village- Patahi, Police Station- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Excise Commissioner cum I.G. Registration, Government of Bihar, Patna.
3. The Collector cum District Registrar, East Champaran, Motihari.
4. The Additional Collector, East Champaran, Motihari.
5. The Sub Registrar, East Champaran, Motihari.
6. The Circle Officer, East Champaran, Motihari.
7. The Circle Officer Patahi, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar and Mr. Avinash, Advocates
For the State	:	Mr. Vivek Prasad, GP 7

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 21-01-2020

Heard learned counsel for the petitioner and learned GP

7 for the State.

2. The petitioner has moved the Court for the following

reliefs:

*“A. A writ in the nature of Mandamus or
any other appropriate writ/writs, order/orders,
direction/directions, commanding the respondents
for the following:*

*I. To Release the land of the Petitioner
bearing Khata No. 609, Khesara No. 5412, Area
0-2-2 from block list which is a Khatiyani land of*



the petitioner and in revisional survey the name of Khatiyani raiyat mentioned as Sita Tiwari and Shiva Narayn Tiwari who are forefather of the petitioner.

II. To rectify the list with regard to the land of the Petitioner bearing Khata No. 609, Plot No. 5412 which has been mentioned in block list as Khata No. 230, Plot No. 5412 which is an apparent error.

III. To consider the claim of the petitioner in the light of the enquiry report submitted by the Circle Officer, Patahi, containing Memo No. 325 dated 2-8-2019 which clearly reveals that the land bearing Khata No. 609, Khesara No. 5412, Area 0-2-2 has wrongly put on the hold and should be released from the block list.

B. To any other relief/reliefs to which the petitioner for and the Hon'ble court deems fit and proper."

3. The petitioner is aggrieved by the fact that his land has been kept in the block list for the purpose of transfer by the Sub-Registrar, Motihari, in the district of East Champaran. It was submitted that the revenue authorities at the local level have found the land to be *raiya* land belonging to the petitioner.

4. Learned counsel for the State submitted that under a general direction of the Inspector General, Registration, Bihar Patna dated 03.07.2017 to all the Collectors-cum-District Registrars to examine the matter relating to stay of transfer of land within their jurisdiction, the authorities are required to satisfy themselves in the matter. It was submitted that the Collector-cum-



District Registrar, East Champaran, Motihari be directed to take a decision with regard to the land of the petitioner.

5. Learned counsel for the petitioner agrees to the same.

6. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file a detailed representation before the respondent no. 3 enclosing all supporting documents on the issue. If the same is done within four weeks from today, the respondent no. 3 shall look into the matter and pass a reasoned order on merits within three weeks from the date of filing of the representation, after affording an opportunity of hearing, if so desired, to the petitioner.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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