

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7482 of 2022

Naznin Khatoon @ Najnin Khatoon wife of Munna Kha, Resident of Paschhim Tola, Ward No. 9, Choudharyana, P.S. Arrah Town, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue and Land Reforms Department, State of Bihar at Patna.
2. The Principal Secretary, Prohibition, Excises Registration Department, Govt. of Bihar, Patna.
3. The Superintendent of Police, Special Vigilance Unit, Patna.
4. The D.S.P., Special Vigilance Unit (S.V.I.), Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Md. Ataul Haque, Advocate
For the Respondents	:	Mr. Raj Kishore Roy (GP18)
		Ms. Surekha Kumari, AC to GP 18
For the Vigilance	:	Mr. Rana Vikram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 19-12-2022 Heard the parties.

The following statement has been made in the counter affidavit on behalf of respondent nos. 2 to 4 as follows:-

“4. That the registration of 15.625 decimal land of Mauza Basantpur, Circle Office- Arrah bearing Revenue Thana no. 256, survey Khata No. 76 and Khesra No. 708 has been added to prohibitory list in the light of Memo No.1588 dated 20.09.2017 issued under the signature of D.S.P Special Vigilance Unit in 2017 wherein it has been stated that the said land is involved in case no. 01 of 2015 instituted under section 13(2) r/w 13(1) (e) P.C Act, 1988, so stop the registration of above mentioned land.

Here, it is pertinent to state that neither Collector who is the competent authority to delete any entry from the prohibitory list nor District Sub-Registrar has been made party to the writ by the petitioner, instead



D.S.P and S.P of Special Vigilance Unit, Bihar; Patna have been made parties to the writ with request to quash the Memo No. 588 dated 20.09.2017 of the Special Vigilance Unit.

Hence, D.S.P and S.P of Special Vigilance Unit should be asked to submit their statement of fact regarding this writ.”

In view of the statement of the Vigilance that transfer of the land has been illegally stopped by the authorities, they are directed to transfer the land as per wishes of the petitioner and register the sale deed.

With the aforesaid observation and direction, this writ petition is allowed.

(Sandeep Kumar, J)

Harsh/ BT

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