

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5970 of 2018**

Sakuntala Devi, Wife of Madan Das, Resident of Village Gajaragadh P.O. P.S.  
Anchal Barahatti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Revenue and Land Reforms,  
Government of Bihar, Patna.
4. The District Magistrate-cum-Collector, Gaya.
5. The Sub. Divisional Officer, Sherghati, Gaya.
6. The Land Reforms Deputy Collector, Sherghati, Gaya.
7. The Circle Officer, Barachatti, District- Gaya.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate  
For the Respondent/s : Mr. Raj Kishore Roy, GP-18

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

- 3      28-04-2023      1. Heard learned counsel for the petitioner and learned  
counsel for the respondents.
2. The petitioner has filed the instant application for  
the following relief(s):-

*“That this is an application for issuance  
of an appropriate writ, order or direction,  
particularly in the nature of writ of Mandamus,  
commanding and directing the respondent and its  
authorities to fix the rent of the land pertaining to  
Khata No. 176, 176, 167 and 175, Plot No. 534, 540,  
539 and 499 measuring an area of 0.14, 0.20, 0.08  
and 0.20 decimals respectively situated at Mauja:  
Tetariya Khurd, Block- Barachatti, District: Gaya in*



*favour of the petitioner in the light of the judgment and decree dated 06.11.2012 & 22.11.2012 respectively in Title Suit No. 92 of 2011 by which the title of the aforesaid land was decided in favour of the petitioner.”*

3. The case of the petitioner in brief is that inspite of the judgment and decree dated 6.11.2012 and 22.11.2012, having been passed in Title Suit no.92 of 2011, by the learned Munsif, Sherghatti, Gaya, in favour of the petitioner, although the petitioner filed an appropriate application before the Circle Officer, rent with respect to the land in question has still not been fixed for want of order being passed on the same by the Land Reforms Deputy Collector, Sherghatti. The case of the petitioner has been narrated completely in paragraph nos.6 to 11 of the writ application which is reproduced herein below:-

*“6. That after obtaining the certified copy of the aforesaid judgment and decree, the petitioner approached before the Circle Officer, Barachatti and filed an application on 24.07.2013 alongwith the aforesaid judgment and decree before Circle Officer and requested to fix the rent of the aforesaid land as mentioned in schedule 1 of the land of the aforesaid decree.*

*7. That thereafter the Circle Officer,*



*Barachatti did not consider the application of the petitioner then after the petitioner gave application before the learned Land Reforms Deputy Collector, Sherghatti on 02.06.2014 for redressal of her grievance.*

*8. That the learned L.R.D.C., Sherghatti after considering the case of the petitioner, directed the Circle Officer to ensure to take action in this regard in accordance with law vide his letter no. 41/Mu./Bhu.Su. dated 02.06.2014.*

*9. That thereafter the Circle Officer, Barachatti called for report from the Halka Karamchhari through Circle Inspector vide his order dated 02.06.14.*

*10. That on 07.07.14 after receipt of the report of the Revenue Karamchhari, the Circle Officer recommended to fix the rent of the land measuring an area 62 decimals at the rate of Rs. 20/- per acre with other cess, and forwarded the matter to L.R.D.C., Sherghatti to pass the necessary order.*

*11. That the petitioner personally approached to the L.R.D.C., Sherghatti and requested to pass the order in her favour but due to one pretext or another, the matter is still pending for*



*passing the order by the L.R.D.C. Sherghatti. ”*

4. In view of the facts and circumstances of the case and the statement made in the writ application, substantial portion of which has been quoted herein above, the writ application is disposed of with the direction to the Land Reforms Deputy Collector, Sherghatti, Gaya (respondent no.6) and the Circle Officer, Barachatti, District-Gaya (respondent no.7) to proceed and decide the application of the petitioner for fixation of rent which is already pending before them, within a period of four months from the date of receipt of the representation along with the copy of this order from the petitioner and/or her legal heirs.

5. This writ application stands disposed of with the above observations and directions.

**(Partha Sarthy, J)**

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