

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2716 of 2023

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Puja Kumari W/o Sri Pramod Kumar R/o Village Toygadh, P.S.- Jairampur,
P.O.- Barbigha, Dist.- Sheikhpura- 811101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna, Email-
3. The Collector-Cum-District Magistrate, Sheikhpura, District- Sheikhpura, Email dm-sheikhpura.bih@nic.in
4. The Addl. Collector, Sheikhpura, District- Sheikhpura, Email.
5. The District Collector Land Reforms, Sheikhpura, District Sheikhpura, Email- aclrsheikhpura@gmail.com
6. The Circle Officer, Barbigha, District Sheikhpura, Email- co.sheikhpura-bih@gov.in

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 12-07-2023

Heard learned counsel for the petitioner and
learned counsel for the State.

2. The present writ petition has been filed for seeking direction to the respondent no.3 to consider the Raiyatikaran of the title upon the land of petitioner by virtue of Annexure-1 with the help of “Sankalp Sankhya 925 (06) dated 11.11.2014” published and gazette by the Principal Secretary, Department of Revenue and Land Reforms, Government of



Bihar, Patna vide Memo No.06/Kha Ma Vividh (Ba Malik)/01/2013-925(6)/Ra/Patna-15, dated 11.11.2014 (Annexure-4).

3. Learned counsel for the petitioner submits that petitioner has purchased a small piece of land from one Pankaj Kumar S/o Sri Satendra Prasad appertaining to Khata No.455, Khesra No.2076 boundaries shown in the registered sale deed area 6 decimals by virtue of Sale Deed No.5091 dated 12.08.2016. Upon purchase of land the name of petitioner was mutated in the Revenue Office. Jamabanadi - Mutation number was allotted being Mutation No.739 and she is continuously paying the rent receipt. Land possession certificate was also issued by the competent authority. Learned counsel submits that vendor of petitioner had also sold another piece of land which she purchased by virtue of Sale Deed No.7060 dated 05.11.2015 but the petitioner got information that the said 6 decimal of land which she had purchased is basically recorded as “Gaimazarua Malik Ba-Kabza” in Survey Khatian at Khata No.455, Khesra No.2076, thereafter, the petitioner had applied to get the certified copy of Khatian which she had received on 19.12.2022 and upon perusal of said Khatian it came to her knowledge that the nature of the land shown in the Khatian is



“Gaimazarua Malik Ba-Kabza” thereafter the petitioner got information that the Government of Bihar has framed a Resolution No.925(06) dated 11.11.2014 by which the policy relating to “Gaimazarua Malik Ba-Kabza” land has to be tested. In this regard the petitioner visited to the office of Collector and requested to file the application which was not entertained. He further submits that similarly situated person approached before this Hon’ble Court by way of filing C.W.J.C. No.3799 of 2017 and this Hon’ble Court vide order dated 28.02.2019 directed to the District Collector to pass order which is annexed as Annexure-5 with the writ petition.

4. Learned counsel for the State submits that in this matter there is nothing on record by which it is clear that petitioner has filed any representation and if she tried to file representation which was not accepted then she ought to file her representation through registered post but nothing is on record.

5. Upon specific query from the Court that whether Annexure-4 i.e. Resolution No.925(06) dated 11.11.2014 is still alive or not ? Learned counsel for the State submits that this resolution is alive and case of petitioner is fully covered under the said resolution.

6. In this background, petitioner is directed to file a



fresh representation with all his relevant documents before the Collector-cum-District Magistrate, Sheikhpura (respondent no.3) within four weeks from the date of passing of this order.

7. The Collector-cum-District Magistrate, Sheikhpura (respondent no.3) is directed to provide hearing to the petitioner either in person or through her advocate and pass a reasoned and speaking order in the light of Resolution No.925(06) dated 11.11.2014 within eight weeks thereafter.

8. With this observation and direction, the present Writ Petition stands disposed off.

(Dr. Anshuman, J.)

Ritik/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.07.2023
Transmission Date	NA

