

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4140 of 2023

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Tajinder Singh @ Tajendra Singh Son of Late Sardar Jashvant Singh @ Jaswant Singh, Resident of Village- Gangjala Chowk, under Nagar Parishad, P.S. and District Saharsa. At present Resident of Guru Teg Bahadur Nagar, Mundian Kalan, Ludhiana (Punjab). Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate-cum- District Registrar, Saharsa.
3. The Sub- Registrar, Saharsa Registration Office, District- Saharsa.
4. The Circle Officer, Kahra, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.
For the Respondent/s : Mr. Md. Khurshid alam, (AAG 12)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-08-2023 Counsel for the petitioner and counsel for the State

are present.

2. The present writ petition has been filed by the petitioner against the decision of the respondents by which his land was put in the old category, due to which petitioner was prohibited from the execution of his sale deed at the level of Sub-Registry, Saharsa.

3. Counsel for the petitioner submits that for the land in dispute a Title Suit No.275 of 2008 was filed and decided in favour of petitioner vide judgment dated 17.09.2019, thereafter, *Jamabandi* was created in the name of the petitioner's father. Subsequently, rent receipt has also been issued. The Petitioner is in exclusive possession of the said land. Upon getting information that the petitioner's land has been put under old category, the petitioner filed a representation before the District

Magistrate-cum-Registrar, Saharsa, which is Annexure-2 but no decision has taken place till date, thereafter, the petitioner filed this writ petition.

4. Counsel for the State submits that this case may be disposed off with a direction to the District Magistrate-cum-Registrar, Saharsa to pass a reasoned and speaking order on the representation of the petitioner (Annexure-2).

5. In this background that petitioner's representation is pending before the District Magistrate-cum-Registrar, Saharsa for long, this writ petition is disposed off with a direction to the petitioner to place a copy of this order before the District Magistrate-cum-Registrar, Saharsa within four weeks from today. The petitioner is also at liberty to supplement his representation afresh. The District Magistrate-cum-Registrar, Saharsa is directed to pass a reasoned and speaking order on the representation filed by the petitioner within 8 weeks from the date of production of a copy of this order.

6. With the aforesaid direction, this writ petition is hereby disposed off.

(Dr. Anshuman, J.)

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