

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14620 of 2014

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Sri Bal Manohar Jalan S/o Late Hira Lal Jalan Resident of Quila House, P.S.
Chowk, Patna City, District Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary-cum-Commissioner,
Department of Revenue and land Reforms, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Patna.
3. The District Magistrate-cum-Collector, Hajipur, Vaishali.
4. The District Magistrate-cum-Collector, Saran, Chapra.
5. The Circle Officer, Patna Sadar, Patna.
6. Sub Divisional Officer, Patna City, Patna.
7. Deputy Collector Land Reforms, Patna City, Patna.
8. The Circle Officer, Sonapur, Saran, Chapra.
9. Survey Settlement Officer, Patna, District Patna.
10. Survey Settlement Officer, Hajipur, Vaishali.
11. Survey Settlement Officer, Muzaffarpur, District Muzaffarpur.
12. C.O. Raghupur, Hajipur, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mrigank Mauli, Advocate
For the Respondent/s : Mr.GP30- Raju Giri

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 25-04-2023 The present petition has been filed seeking the

following reliefs :-

*“(i) For issuance of writ in the nature of
Mandamus directing the Respondent
authorities to issue revenue receipts in favour
of the petitioner with regard to the Khesra No.
19 and 20 of Patna City Diara Area in terms of
the Bihar Gazette (Extraordinary) Notification
No. M/RI-303/52-5882 LSG dated 17.07.1953*



and in terms of the decision of this Hon'ble Court's judgment dated 29.07.1969 passed by the Full Bench in Cr. Revision No. 301 of 1967 (Narayan Das Rai & Others Versus Bolta Ram & Others) wherein this Hon'ble Court had decided the issue that the mid- stream of River Ganga would be the demarcating line between the Districts of Patna and Muzaffarpur and the mid-stream of River Ganges would be the northern boundary for the district of Patna - for administrative, revenue and judicial purposes- and for reasons that the aforesaid Khesras of Patna City Diara Area fall South of the mid stream of River Ganges.

(ii) For issuance of writ in the nature of Certiorari quashing the directions issued by the Collector, Saran, Chapra dated 09.03.2007, the Circle Officer, Sonapur, Saran, Chapra dated 25.02.2008 and the Circle Officer, Patna Sadar, Patna dated 02.02.2008 transferring the revenue jurisdiction of the Patna City Diara Areas to Sonapur Circle and as communicated to the petitioner under the Right to Information Act, 2005 by letter of Public Information Officer dated 28.06.2014.

(iii) For issuance of writ in the nature of Mandamus directing the Respondent authorities to transfer the jurisdiction and the revenue records with regard to Patna City Diara Area to the office of the Circle Officer, Patna Sadar, Patna District as it has the sole



revenue jurisdiction to maintain records and collect rents in terms of Bihar Gazette (Extraordinary) Notification No. M/RI-503/52-5882 L.S.G dated 17.07.1953 and which has been judicially recognized in the decision of the Full Bench in Criminal Revision No. 301 of 1967.”

At the outset, the learned counsel appearing for the respondent- State submits that undisputedly, a judgment and a decree dated 02.07.2018 and 15.07.2018, respectively has been passed by the learned court of Sub-Judge VI, Patna City, in the title suit filed by the petitioner i.e. Title Suit no. 140 of 1995, wherein the respondent- State of Bihar is one of the defendant and the learned court below has declared the right, title and interest of the petitioner over the suit land. In such view of the matter, I direct the District Magistrate, Patna to consider the said aspect of the matter and take steps for issuance of rent receipts with regard to the land in question, pertaining to which rent receipts have been issued till the year 2011.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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