

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11814 of 2015

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Arun Kumar Paswan S/o Late Neeras Paswan, resident of village -
Maheshkhut Purwari Tola, P.S. - Maheshkhut, District - Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Khagaria.
3. The Registrar, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Respondent/s : Mr. Santosh Chandra Bhasker, AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Counsel for the petitioner has filed the present writ
petition for directing the respondents to allow the petitioner to
sale the landed property situated in Mauza- Amba Icharua
bearing Tauzi No.-1379, Thana No.- 196, Zamabandi No. 469,
Khata No.- 241, Khesara No. 400 and 401 measuring area 2
Bigha 8 Katha 9 Dhur.

3. Counsel for the petitioner submits that they are the
settlee of the land since 1948 onwards. He submits that
representation was also filed before the Collector, Khagaria but
there is no response.

4. Counsel for the State submits that he has filed

counter-affidavit in this case but in the said counter-affidavit, no clear stand has come and only pleading that since in the original revenue record, the land is the *Gairmajarua* land, and therefore, permission for sale has not been made.

5. From the pleadings of the petitioner, it is clear that the stand of the petitioner is that they are in possession of the land since 1948 onwards continuously and they have proof in this regard.

6. In this background, this writ petition is disposed of directing the petitioner to represent before the Collector, Khagaria with all the relevant documents with regard to land in question and the Collector, Khagaria after going through the entire documents shall decide the matter in the light of the different circulars and law of the land within 10 weeks from the date of filing the fresh representation by way of speaking and reasoned order.

7. With the aforesaid direction, the present writ application is hereby disposed of.

(Dr. Anshuman, J.)

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