

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.481 of 2023

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1. Hiramani Devi Wife of Sri Jawahar Mistri, Resident of Village- Lala Bhadsara, PS- Dulhin Bazar, District- Patna.
 2. Ram Pravesh Mistri Son of Late Dukhan Mistri, Resident of Village- Lala Bhadsara, PS- Dulhin Bazar, District- Patna.
 3. Manoj Kumar Son of Late Mohan Lal Mistri, Resident of Village- Lala Bhadsara, PS- Dulhin Bazar, District- Patna.
 4. Krishna Sharma Son of Late Lalparikhan Vishwakarma, Resident of Village- Lala Bhadsara, PS- Dulhin Bazar, District- Patna.
 5. Nandlal Vishwakarma Son of Late Sheochand Mistri, Resident of Village- Lala Bhadsara, PS- Dulhin Bazar, District- Patna.
 6. Satyanarayan Mistri Son of Late Ram Chandra Mistri, Resident of Village- Lala Bhadsara, PS- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub-Divisional Officer, Paliganj, Patna.
4. The Block Development Officer, Dulhin Bazar, Patna.
5. The Circle Officer, Dulhin Bazar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Mistry, Adv.
For the Respondent/s	:	Mr. Sajid Salim Khan (SC25)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The present writ petition has been filed for quashing the measurement of land with regard to Khata No. 476, Plot No. 4947, Tauzi No. 4390 admeasuring an area 4 Bigha, 19 Katha, 13 ½ Dhur situated at Mauza-Lala Bhadsara, P.S.-

Dulhin Bazar, District- Patna conducted by the Circle Officer,
Dulhin Bazar, Patna.

Counsel for petitioners submits that petitioners are the owner of the said land and in proof of his title and possession, he has annexed several documents in the writ petition. He submits that without providing any opportunity to the petitioners to participate in the measurement of land, their land was measured. In this regard, a representation was filed by the petitioners before the Circle Officer, Dulhin Bazar, Patna but there is no response from both sides.

Counsel for State submits that from the relief of the writ petition, it is crystal clear that the petitioners want to interfere in the process of measurement of the land. He submits that a competent authority of the land was doing measurement. There are several laws under which measurement is permissible by the Circle Officer, therefore, no order be passed in this matter.

Upon hearing the parties, this Court is of the view that it is true that the Circle Officer is competent authority for measurement of land but it is also true that the parties whose land were under measurement should know the reason as to why their lands are being measured and in this view of the matter, the

Court is not passing any order in this case on merit but directing to the Circle Officer, Dulhin Bazar, Patna that he shall intimate the reasons of the measurement in writing to the petitioners upon filing fresh representation by the petitioners within 4 weeks from today and Circle Officer, Dulhin Bazar, Patna shall pass an speaking order on the representation filed by the petitioners within 4 weeks thereafter.

With this direction, this civil writ application is hereby disposed of.

(Dr. Anshuman, J.)

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