

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11012 of 2016

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Jai Prakash Choudhary son of late Mahadeo Choudhary Resident of Village -
Bastol, P.S. - Pranpur, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Katihar.
3. The Land Reforms Deputy Collector, Katihar.
4. The Circle Officer, Pranpur, Katihar.
5. The Circle Inspector, Pranpur, Katihar.
6. The Halka Karamchari, Bastol, Pranpur, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rana Ishwar Chandra, Adv.
For the Respondent/s : Mr. Anwar Karim, AC to GP10

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 04-07-2024

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

2. The present writ application has been filed for the
following relief;

*“(i) For commanding and directing the
Respondent no.3 (The Land Reforms Deputy
Collector, Katihar) to pass appropriate order(s)
for redressal of the grievance of the petitioner,
i.e.; to correct the Khata no. being 28 and khesra
no. being 27 which has been incorrectly
endorsed as Khata no.28/245 and khesra
no.27/28 in Register-II, within a stipulated
time/period.*



(ii) For commanding and directing Respondent no.-2 to punish the erring officer(s) for such an inordinate delay.”

3. Learned counsel for the petitioner submits that the petitioner had purchased a piece of land through registered sale deed no. 1190 dated 28.02.1987 from Khata no.28, Khesra no.27 area 10.5 Decimal. Thereafter, the petitioner again purchased a piece of land measuring 5.75 Decimal from Abdul Salam in the same Khata and Khesra through registered sale deed no. 3493 dated 04.04.1987. He further submits that thereafter the petitioner submitted both the deeds in the Office of respondent no.4 to enter his name in Register II with respect to total area of land measuring 16.25 Decimal. Thereafter, the petitioner has been paying rent to the State Government for the said land and receipts were also issued in his favour.

4. Learned counsel for the petitioner further submits that when the petitioner deposited the rent for the year 2000-2006, the Karamchari has wrongly entered extra Khata No. 245 and Khesra No. 28 in the receipt along with the Khata No. 28 and Khesra No. 27. Thereafter, the petitioner filed an appeal bearing Misc. Case No. 1 of 2009 before the Land Reforms Deputy Collector, Katihar for correction of the record which was disposed of vide order dated 12.08.2009 directing the



respondent no.4 to make spot verification and make enquiry and submit enquiry report before him for further proceeding. Thereafter, the respondent nos. 5 & 6 jointly enquire the matter and submitted the enquiry report before the respondent no.4 supporting the case of the petitioner and also recommended for correction. The respondent no.3 vide his letter dated 04.11.2009 addressed to the respondent no.3 recommended for correction of the wrong entry of the land.

5. Learned counsel for the petitioner further submits that despite recommendation letter dated 04.11.2009 sent by the respondent no.4, the respondent no.3 has not taken any action on the same and is sitting tight over the matter for the reasons best known to him.

6. A counter affidavit has been filed on behalf of the respondent nos. 2 to 5 stating therein that the wrong entries made in Jamabandi Panji can only be rectified u/s 9 of the Bihar Land Mutation Act, 2011 for which the Addl. Collector is the competent authority.

7. In the facts and circumstances of the case, this writ petition is disposed of with a direction to the petitioner to file a representation before the Land Reforms Deputy Collector, Katihar, (respondent No. 3), along with all the relevant



documents in support of the claim within a period of eight weeks from today.

8. In the event such a representation is filed by the petitioner before respondent No. 3 (Land Reforms Deputy Collector, Katihar), the same shall be disposed of in accordance with law after hearing all the parties, expeditiously preferably within a further period of three months from the date of filing of representation by the petitioner.

9. With the aforesaid direction, the writ petition stands disposed of.

(Rudra Prakash Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.07.2024
Transmission Date	

