

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18607 of 2016

1. Ram Bachchan Prasad
2. Sheo Bachchan Prasad Both sons of late Ramdhani Singh Resident of Village - Telari Tola Chandayak, Pragana - Narhat, P.S. - Atari, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Collector, Gaya.
3. The Deputy Collector, Land Reforms, Nimchak Bathani, Gaya.
4. The Circle Officer, Nimchak Bathani, Gaya.
5. The Circle Inspector, Nimchak Bathani, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha, SC- 19

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 11-07-2024

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

2. The present writ application has been filed for the following relief/s :-

“(i) To issue an appropriate order/s, direction/s including a writ preferably in nature of Mandamus commanding and directing upon the respondents to mutate the 28-2/3 decimal land each in favour of the petitioners who have acquired their interest through amicable



settlement/partition amongst them situated in mauza Telari Tola, Chandayak, Thana No. -206, Nimchak Bathani P.S., District-Gaya.

(ii) To open the Jamabandi with respect to aforesaid land separately and prepare Khata Pustika make available on payment to them.

(iii) To issue rent receipts accordingly to avoid government Revenue loss.

(iv) To any other relief/s to which the petitioners are entitled in the facts and circumstances of the case.”

3. It is submitted by learned counsel for the petitioners that the land, in question, have jointly been purchased by the petitioners measuring 854 decimal, appertaining to Khata No. 1111, Khesra No. 3187, 3177, 3166, 2268, 2260 etc. situated at Mauza Telari Nimchak Bathani, P.S. under Thana No. 206 within Gaya district. Accordingly, records of Right framed and published under Section 103A of the Bihar Tenancy Act, 1885 and certificate of publication was signed on 25-05-1982.

4. It is next submitted that petitioners on account of family arrangement, partitioned the holding among themselves and 28-2/3 decimal land, each has been allotted to them. Thereafter, they have jointly made an application dated 05-09-2016 to the Deputy Collector, Land Reforms, Nimchak, Bathani regarding



opening of Jamabandi separately in their names, due to inconvenience caused to them in paying rent to the Government.

5. Learned counsel for the petitioners submits that petitioners seek disposal of representation dated 13-10-2016, which has already been filed by them before Circle Officer, Nimchak, Bathani (respondent No.4) for redressal of their grievances, which is pending consideration.

6. If that be so, the writ petition is disposed of with a direction to the Circle Officer, Nimchak, Bathani (respondent No.4) to dispose of the representation pending before him in accordance with law after giving an opportunity of hearing to the parties concerned within a period of three months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	19-07-2024
Transmission Date	N/A

