

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9082 of 2018**

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Bhola Singh @ Bhola Pd. Singh S/o Khobari Singh R/o Village PO. Harrial,  
P.S.- Mohiuddin nagar, District- Samastipur Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Revenue and Land Reforms Department, Bihar.
2. The LRDC, Patori, Samastipur
3. The Circle Officer, Mohiuddin Nagar, District- Samastipur. Bihar.
4. Umesh Singh S/o Late Karmal Singh
5. Daven Singh S/o Late Birju Singh
6. Jhagru Mahto S/o Yogesgwar Mahto
7. Dhrub Singh S/o Arjun Singh

All R/o Village- Hilal, P.S.- Mohiuddin Nagar, District- Samastipur, Bihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Nagendra Dubey, Adv.  
For the Respondent/s : Ms. Nutan Sahay, Adv.

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL JUDGMENT**

**Date : 26-09-2024**

Heard Mr. Nagendra Dubey, learned Advocate for the petitioner and Ms. Nutan Sahay, learned Advocate for the State.

2. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the respondents, especially respondent no. 3, the Circle Officer, Mohiuddin Nagar, District- Samastipur, to ensure measurement of the land in terms of the order dated 18.04.2013 passed by the respondent no. 2 in Case No. 46 of 2012.

3. Learned Advocate for the petitioner contended that



the land in question was purchased by the petitioner through a registered sale deed way back on 20.05.2000. Having purchased the land the petitioner applied for mutation and the same has been done in favour of the petitioner and the rent receipt also issued on 19.06.2002. While the petitioner has been coming in peaceful possession some hindrances were being created by the private respondents, compelling the petitioner to approach before the learned DCLR by filing Case No. 46 of 2012. The learned DCLR after hearing the parties disposed off the afore-noted case vide order dated 18.04.2013 directing the Circle Officer to restore the possession of the petitioner by making the measurement of the land. It is the contention of the petitioner that in compliance with the order of the learned DCLR the petitioner has deposited the required measurement fee and a receipt has also been issued in favour of him, copy of which has been marked as Anneuxre-4. Despite the fee deposited by the petitioner, till date the measurement has not been done. The petitioner approached before all the authority concerned but to no avail. In the aforesaid premise, the petitioner approached before this Court.

4. On the other hand, learned Advocate for the State submits that the order was passed way back in the year 2013 and



with regard to the present position, she needs instruction from the authority concerned.

5. Considering the submissions advanced on behalf of the parties and taking note of the fact that there is an order passed by the DCLR with certain direction to the concerned Circle Officer, the same must bring to its logical conclusion.

6. In view thereof, this Court deems it appropriate to dispose off the writ petition with a direction to the respondent no. 3 to consider the claim of the petitioner and take appropriate action and pass a reasoned order, if the same has not been done till date.

7. The aforesaid exercise must be completed, preferably within a period of four months from the date of receipt/production of a copy of this order.

8. The writ petition stands disposed off.

**(Harish Kumar, J)**

Anjani/-

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