

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3639 of 2024**

1. Nishu Sahu W/o Dhiraj KUMAR Sahu Resident of Village-Sahu Parbatta, Police Stateion, Parbatta, District-Bhagalpur.
2. Ambika Soni W/o Preetam Kumar Resident of Village-Sahu Parbatta, Police Stateion, Parbatta, District-Bhagalpur.
3. Tripti Kumari Daughter of Maheshwar Pd. Chourasia. Resident of Village-Sahu Parbatta, Police Stateion, Parbatta, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secreary, Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The Distirct Magistrate, Bhagalpur.
4. The Deputy Collector Land Reforms, Naugachhia, District-Bhagalpur.
5. The Anchal Adhikari, Ismailpur Anchal, Police Station-Ismailpur, District-Bhagalpur.
6. Dharmbir Mandal Son of Late Boudh Narayan Mandal Resident of Village-Parbatta, Police Station, Ismailpur, District-Bhagalpur.
7. Ram Chandar Mandal Son of Late Sant Lal Mandal Resident of Village-Parbatta, Police Station, Ismailpur, District-Bhagalpur.
8. Gopal Sah Son of Late Jagaru Sah Resident of Village-Parbatta, Police Station, Ismailpur, District-Bhagalpur.
9. Umesh Kumar Mandal Son of Ram Chandar Mandal Resident of Village-Parbatta, Police Station, Ismailpur, District-Bhagalpur.
10. Radha Devi W/o Late Yogendra Mandal Resident of Village-Parbatta, Police Station, Ismailpur, District-Bhagalpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Dr. Manoj Kumar, Advocate  
For the Respondent/s : Mr.Standing Counsel -9

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      20-06-2024                      Heard learned counsel for the petitioners and the  
  
State.

2. The petitioners have prayed for the following  
reliefs:



*for issuance of an appropriate writ/order/direction in the nature of writ of certiorari to quash the order dated 16.9.2023 passed by Learned DCLR, Naugachhia (Respondent No.4) in Kabil Rent Fixation Case No.01 of 2023-24 whereby and whereunder rent of the land in question has been fixed at the rate of Rs.100/- per acre excluding cess from the date of abolition of Zamindari on the basis of Farzi sale deed in favour of respondent 2nd party executed by fake person namely Radha Devi w/o late Yogendra Mandal caste Gangota when in fact original rightful land raiyat/owner of the land in question is Yogendra Prasad son of Late Girija Prasad of Caste Barai.*

3. The petitioners are aggrieved by the order passed by the D.C.L.R., Naugachhia Bhagalpur dated 16.9.2023 in Rent Fixation Case No. 01 of 2023-24 (Annexure-5) to the petition.



4. Learned counsel for the petitioners submit that the Circle Officer, Ismailpur submitted a counsel report before the D.C.L.R., Naugachhia and who suo motu approved the recommendation vide an order dated 16.9.2023. This was done behind the back of the petitioner and/or their vendors.

5. Learned State Counsel on the other hand submits that an order passed by the D.C.L.R. whether good, bad, cryptic or without hearing the parties, the petitioners have the forum of approaching the Additional Collector in his revenue jurisdiction for the redressal of the grievance.

6. The petitioners claim that they purchased the land from the Yogendra Prasad (not a party respondent in the writ petition). He further submits that the petitioners will be approaching the appropriate revenue authority for their redressal within a period of four weeks from today.

7. In case, such petition is preferred within four weeks, the Revenue Authority shall consider the limitation petition taking into account that they had preferred the writ petition before this Court.

8. The writ petition stands disposed of with a direction to the Revenue Authority that if the petitioners approach it within a period of four weeks from today, the same



shall be taken to its logical conclusion in next six months after  
hearing all the concerned parties.

**(Rajiv Roy, J)**

Ravi/-

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