

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11595 of 2024

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1. Mustafa Ansari Son of Late Rojid Ansari @ Rozi Ansari R/o Village - Bandhua, P.O. - Matpa, P.S. - Kutumba, District - Aurangabad.
 2. Abdul Quddoos Ansari, Son of Md. Talib Hussain, R/o Village - Bandhua, P.O. - Matpa, P.S. - Kutumba, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector cum District Magistrate, Aurangabad.
3. The Superintendent of Police, Aurangabad.
4. The Sub-Divisional Magistrate, Aurangabad.
5. The Sub-Divisional Police Officer, Aurangabad.
6. The Circle Officer, Kutumba, P.S. - Kutumba, District- Aurangabad.
7. The Officer-in-charge, Kutumba, P.S. - Kutumba, District - Aurangabad.
8. Md. Mahbub Alam, Son of Late Hanif Mian, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
9. Md. Habib Alam, Son of Late Hanif Mian, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
10. Md. Rafik Alam, Son of Late Hanif Mian, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
11. Seraj Ansari, Son of Late Ashik Hussain, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
12. Meraj Ansari, Son of Late Ashik Hussain, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
13. Reyaj Ansari, Son of Late Ashik Hussain, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
14. Noushad Alam @ Raju S/o Md. Mahbub Alam, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
15. Jubair Alam Son of Md. Habib Alam, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
16. Abdul Qaiyum @ China, S/o Md. Amirul Haque Mian, Resident of Village - Bandhua, P.S.- Kutumba, District- Aurangabad.
17. Md. Kalim Ansari Son of Sahrum Mian, R/o Village- Murauli Bujurg, P.S.- Kutumba, District- Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Sagar, Advocate
For the Respondent/s	:	Mr. Sitaram Yadav, GP-16
	:	Mr. Yatindra Narayan, AC to GP-16



**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL JUDGMENT

Date : 06-08-2024

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

2. Following relief(s) have been prayed for in
paragraph no. 1 of the present writ application.

*“1. That the instant application is
for issuance of appropriate writ/writs,
order/orders, direction/directions, directing
the respondents concerned to give
protection/assistance in measurement of the
land ordered by the Circle Officer (R. No.6).*

*Any other relief/reliefs be granted
to the petitioners for which they are entitled
under the law.”*

3. Learned counsel for the petitioner submits that the
petitioners have purchased lands measuring 25 decimals from
the land lords on 12.06.2012, 20.06.2013 and 08.02.2016 by
registered sale deeds and came in possession of the land in
question and have been cultivating crops since then. Learned
counsel further submits that from March 2024, the private
respondents are creating hindrance and want to dispossess the
petitioners from the land in question. Learned counsel further



submits that the petitioners gave application on 03.05.2024 to the Circle Officer, Kutumba (Respondent No. 6 herein) for measurement of the land in question through Anchal Amin and the copy of the said application is annexed and marked as Annexure-P/2 to the present writ application. Learned counsel further submits that the Anchal Adhikari, Kutumba sent a letter bearing letter no. 564 dated 6.05.2024 (Annexure-P/4 to the instant writ application) to the Officer-in-charge of Kutumba Police Station for maintaining law and order till the decision is taken by the office of Anchal Adhikari, Kutumba. Thereafter, the Circle Officer, Kutumba wrote a letter of Anchal Amin, Kutumba for measurement of the disputed land according to Jamabandi raiyat and submit report on 15.05.2024 vide Memo No. 599 dated 11.05.2024 and a copy of the same in this regard was forwarded to Officer-in-charge, Kutumba P.S. and also to private respondents. Learned counsel further submits that on 15.05.2024, the private respondents created hindrance in measurement of the land in question. Thereafter, the Circle Officer, Kutumba again gave notice to the petitioners, private respondents and the Officer-in-charge, Kutumba vide Memo No. 658 dated 11.06.2024 to appear for the measurement of the land question on 15.06.2024. Again, the Officer-in-charge,



Kutumba not deputed police force for peaceful measurement of the land and again the private respondents created hindrance in measurement of the land. Thereafter, the petitioners approached before the Collector, Aurangabad by way of registered post of application dated 19.06.2024 and a copy of same was also sent to S.P., Aurangabad but till date no action has been taken for peaceful measurement of land in question. Learned counsel for the petitioners, therefore, prays that Officer-in-charge, Kutumba may be directed to take follow action for peaceful measurement of the land in question as requested by the Circle Officer, Kutumba.

4. Learned counsel appearing on behalf of the State raised no objections to the submissions made by learned counsel on behalf of the petitioners.

4. Considering the aforesaid facts and circumstances, Officer-in-charge, Kutumba, Respondent No. 7 is directed to comply with the direction as given by the Circle Officer, Kutumba, Aurangabad (Respondent No. 6 herein) for the measurement of the land in question within a period of eight weeks from the date of receipt/production of a copy of this order.

5. With the aforesaid observation/direction, the



present writ application stands disposed of.

(Rudra Prakash Mishra, J)

Alok Verma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.08.2024
Transmission Date	N/A

