

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10789 of 2024

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Roshan Kumar Rishidev Son of Late Raghuni Rishidev, Resident of Village-
Balbhadrapur, P.S- Birpur, District- Supaul (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Supaul, District- Supaul (Bihar).
3. The Sub Divisional Magistrate, Birpur, District- Supaul (Bihar).
4. The Deputy Collector Land Reforms, Birpur, District- Supaul (Bihar).
5. The Circle Officer, Basantpur, District- Supaul (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhishek, Adv.

For the Respondent/s : Mr.Standing Counsel 13

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 22-07-2024

Heard learned counsel for the parties.

2. In this writ application, the petitioner has prayed
for following relief(s);

*“1A. For directing the Respondent
Authorities to settle the land of Khata No. 118
(Old), Plot No. 252 (Old), measuring an area 44
Decimals situated at Mauza- Balbhadrapur, P.S.
No. 52, District- Supaul in favour of the Petitioner
as the Petitioner is landless and poor person
having possession over the aforesaid land and is
residing with his family over the same.*



B. For directing the Respondent District Magistrate Supaul to decide the application/representation dated 21.12.2023 filed by the petitioner with a prayer to resettlement of land in his favour which was earlier settled in the name of his father Raghni Rishidev @ Raghuni Sada.

C. For directing the Respondent Authority to maintain status quo over the land in question, which is in possession of the petitioner, till the disposal of the present writ application.”

3. Learned counsel for the petitioner submits that the land of Khata No. 118(Old), Plot No. 252(Old), measuring an area 44 Decimals situated at Mauza Balbhadrapur, P.S. No.52, Dist. Supaul was settled by the Deputy Collector Land Reforms, Birpur and a Settlement Purcha was also issued. After Settlement, the father of the petitioner came in possession over the same along with his family members and also constructed a house over the same. The name of the father of the petitioner was also mutated in the Government Record and Rent Receipts were being issued. It is further stated that the father of the petitioner, due to influence by the co-villager, sold the aforesaid land to some other person in the year 2012 which was not



known to the petitioner.

4. Learned counsel for the petitioner further submits that when the petitioner came to know about illegal sale made by his father, he filed a petition before the Circle Officer, Basantpur on 16.07.2014. He also filed an Objection dated 19.01.2021 before the Circle Officer in Mutation Case No. 1676 of 2020-21 when one Adhulia Devi was trying to get her name mutated over the land in question.

5. Learned counsel for the petitioner has finally submitted that the petitioner has also filed a detailed representation dated 21.12.2023 before the District Magistrate, Supaul with a prayer to settle the aforesaid land in his favour which is pending consideration and has not been disposed of as yet and prays for disposal of the same.

6. Counter-affidavit has not been filed in this case on behalf of the State.

7. Having regard to the limited prayer made by the petitioner, this Court deems it fit and proper to give direction to the District Magistrate, Supaul (Respondent No.2) to dispose of the representation dated 21.12.2023 pending before him by passing a reasoned and speaking order in accordance with law and 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.

8. With the aforementioned observation/direction, this writ petition stands disposed of.

(Rudra Prakash Mishra, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.07.2024
Transmission Date	

