

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12795 of 2024

Rajesh Kumar S/o Mohan Prasad Resident of Mohalla- Barwat Prasarain, ward no. 36, P.O.- Barwat Prasarain, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary Revenue and Land Reforms, Government of Bihar, Patna.
2. The Additional Chief Secretary Revenue and Land Reforms, Government of Bihar, Patna.
3. The Inspector General of Police, Tirhut Division, Muzaffarpur.
4. The District Collector, West Champaran.
5. The Superintendent of Police, Bettiah.
6. The Additional Collector-cum-Additional District Magistrate, West Champaran, Bettiah.
7. The Sub-divisional- Officer, Bettiah.
8. The Circle Officer, Bettiah, West Champaran.
9. The Station House Officer, P.S.- Bettiah, District- Bettiah.
10. Sri Sadashiv Jha, Presently posted as data operator in the Circle office, Bettiah, District- Bettiah.
11. Manju Devi W/o- Satyadeo Prasad Resident of village- Dudhiyawa, Kalwari Tola, P.S. Paharpur, District- West Champaran.
12. Rubi Devi W/o Pawan Kumar Gupta Resident of village- Dudhiyawa, Kalwari Tola, P.S. Paharpur, District- West Champaran.
13. Anurag Kumar S/o Brijendra Tiwari Resident of village- Belwa, P.O.- Dhobini, P.S.- Lauria, District- West Champaran.
14. Sabitri Devi W/o Basudeo Kumar Resident of village- Hardiya, P.O.- Barwat Sena, P.S.- Bettiah Muffasil, District- West Champaran.
15. Dr. Surya Prakash S/o Laxman Prasad Resident of village- Bhelawa, P.O.- Bhelawa, P.S.- Katoriya Chandana, District- Banka.
16. Chulbul Pandey S/o Ashutosh Kumar Resident of Mohalla- I.T.I. Colony Bettiah, P.S.- Bettiah Muffasil, District- West Champaran.
17. Ashutosh Kumar S/o- Surendra Pandey Resident of village- Bankatwa, P.O.- Radhiya, P.S.- Paharpur, District- East Champaran.
18. Anita Kashyap W/o Lalbabu Kashyap Resident of village- Barwa, P.S.- Govindganj, District- East Champaran.
19. Ramawatar Prasas S/o Late Chandan Prasad Resident of village- Barwa, Ward No. 12, P.S.- Govindganj, District- East Champaran.
20. Amit Kumar S/o Shivjee Mishra Resident of Mohalla- Jay Prakash Nagar, I.T.I. Colony, Road No. 2, Bettiah, P.S.- Bettiah Muffasil, District- West Champaran.



21. Srimati Ashu Singh W/o Dr. Bhanu Pratap Singh Resident of village- Domwalia, Tola Srinagar, Narainapur, P.S.- Patkhauri O.P., Bagaha-2, District- West Champaran.
22. Shakuntala Devi W/o Amrendra Singh Resident of village- Domwalia, Tola Srinagar, Narainapur, P.S.- Patkhauri O.P., Bagaha-2, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate
For the Respondent/s : Mr. Addl. Advocate General-12

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 29-08-2024

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

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

“1(i). For directing and commanding more particularly respondent Circle Officer, Bettiah to create Jamabandi/Mutation in the name of the petitioner as the petitioner duly applied for the same but the data operator (Sri Sadasiv Jha) is demanding illegal gratification for creating mutation in favour of the petitioner.

(ii) For directing and commanding the respondent authorities to safeguard the constitutional right of the petitioner, (Right to property) and also to safeguard life and property of



the petitioner, as in connivance with some antisocial elements/land mafias and SHO of P.S. Bettiah mufasil Respondent no. 10 is taking all necessary steps for grabbing the property/land of the petitioner situated at mauja-Barwat Prasaraian, bearing Khata no. 416, Khesra No. 1391, Thana No. 189 total area about 4 katha 18 Dhur, which have been purchased by the petitioner in the year 2014 and the life of the petitioner is in danger.

(iii) For directing and commanding the respondent authorities to record the name of the petitioner in the revenue records and to create mutation and allow the petitioner to deposit rent and to issue rent receipt in favor of the petitioner for the land appertaining Khata No. 416, Khesra No. 1391, Thana No. 189 total area about 4 katha 18 Dhur.

(iv) For directing and commanding the respondent authorities not to take coercive action as against the petitioner and not to disturb and to safeguard the peaceful possession of the petitioner.

(v) For any other appropriate



relief/reliefs to which the petitioner is found entitled in the facts and circumstances of the present case.”

3. Learned counsel for the petitioner submits that the father of the petitioner had purchased piece of land situated at Mauja- Barwat Prasarain, bearing Khata No. 416, Khesra No. 1391, Thana No. 189 total area about 4 katha 18 Dhur (36.75 decimal), through registered sale deeds after paying registration fees to the government and after registration had applied for registering his name in the revenue records and to create Jamabandi in his favour, and accordingly case Mutation Case No. 5980/2022-23 was registered, report was submitted by revenue karamchari that the land is in possession of the petitioner. Learned counsel further submits that the petitioner approached before the Circle Officer of Bettiah making a request to create Jamabandi/ mutation in the favour of the petitioner vide request letter dated 15.03.2023 and requested to create Jamabandi in favour of the petitioner. Learned counsel, therefore, prays that the concerned Circle Officer may be directed to consider and dispose of the aforesaid pending application dated 15.03.2023 before the concerned Circle Officer within a time frame.



4. Learned counsel for the State does not object to the prayer made on behalf of the petitioner for disposal of the representation dated 15.03.2023 in accordance with law within a time frame.

5. Considering the aforesaid facts and circumstances, the Circle Officer, Bettiah, West Champaran (Respondent No. 8) is directed to consider the representation of the petitioner dated 15.03.2023 and dispose of the same after perusing the documents filed on behalf of the petitioner and pass reasoned order in accordance with law within a period of two months from the date of receipt/production of a copy of this order.

6. 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	02.09.2024
Transmission Date	N/A

