

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12936 of 2024

Vidya Nand Paswan Son of Late Matru Paswan, Resident of Village - Parsaha Tola, Begwahi, P.S. - Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Director, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Araria.
4. The Sub Divisional Officer, Araria.
5. The Deputy Collector Land Reforms, Araria.
6. The Circle Officer, Raniganj, District- Araria.
7. The Officer in Charge, Raniganj Police Station, Araria.
8. Buttilal Paswan, Son of Late Matru Paswan, Resident of village - Parsaha Tola, Begwahi, P.S.- Raniganj, District - Araria.
9. Ashok Paswan, Son of Buttilal Paswan, Resident of village - Parsaha Tola, Begwahi, P.S.- Raniganj, District - Araria.
10. Rajendra Paswan, Son of Buttilal Paswan, Resident of village - Parsaha Tola, Begwahi, P.S.- Raniganj, District - Araria.
11. Jugesh Paswan, Son of Buttilal Paswan, Resident of village - Parsaha Tola, Begwahi, P.S.- Raniganj, District - Araria.
12. Ashok Paswan, Late Anuplal Paswan, Resident of village - Parsaha Tola, Begwahi, P.S.- Raniganj, District - Araria.
13. Kulanand Paswan, Late Anuplal Paswan, Resident of village - Parsaha Tola, Begwahi, P.S.- Raniganj, District - Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Chandra, Advocate
For the Respondent/s	:	Mr. Yatin Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
Date : 02-09-2024

Heard Mr. Krishna Chandra, learned Advocate for the
petitioner and Mr. Yatin Narayan, learned Advocate for the
State.



2. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the respondents to demarcate the land, in question, in compliance with the order dated 09.12.2022, passed by the Deputy Collector, Land Reforms, Araria in Land Dispute Resolution Case No. 15 of 2022-23; the particulars of the land is duly mentioned in paragraph no. 4 of the writ petition.

3. Learned Advocate for the petitioner vigorously contended that the land, in question, was purchased by the petitioner through a registered sale deed from the *bona fide* vendor. After the purchase having been made by the petitioner, the name of the petitioner was mutated in the revenue record and accordingly, *jamabandi* was created and the rent receipts were issued in favour of the petitioner, after making payment thereof. It is further contended that while the petitioner has been enjoying the peaceful possession over the land, in question, in the meanwhile, the private respondents with a view to grab the land, tried to disposes the petitioner. On being aggrieved, the petitioner approached before the competent authority, as prescribed under the Bihar Land Dispute Resolution Act, 2009, which case was numbered as Land Dispute Resolution Case No. 15 of 2022-23.



4. The learned DCLR having given proper opportunity of hearing to both the parties, directed the Circle Officer, Raniganj to demarcate the land, in question, with the help of Circle Amin. It has also made clear vide order dated 09.12.2022, that in case the help of police force is required, the same may be taken.

5. Despite the direction of the learned DCLR, when the measurement could not be taken place, the learned DCLR, whereupon, exercising the power under Section 15 of the Bihar Land Dispute Resolution Act, 2009 directed the Circle Officer, Raniganj to ensure demarcation, but till date, the same has not been done. In the aforesaid circumstances, having found no way out, the petitioner is compelled to approach before this Court.

6. On the other hand, learned Advocate for the State submits that since the direction has already been issued for demarcation of the land, the Circle Officer shall ensure the demarcation, in accordance with law.

7. Considering the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the fact that the matter for demarcation is pending before the Circle Officer, Raniganj, Araria, the writ petition stands disposed off with a direction to ensure the demarcation of the



land, in terms of order of the Deputy Collector Land Reforms, Araria in Land Dispute Resolution Case No. 15 of 2022-23, in presence of all the stakeholders, preferably within a period of twelve weeks, from the date of receipt/production of a copy of this order.

8. The writ petition stands disposed off.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.09.2024
Transmission Date	NA

