

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13237 of 2024

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Shyam Kumar Sinha son of Ramakrishna Prasad, resident of Village-
Laxmipur, P.S.-Piri Bazar, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate, Lakhisarai.
3. The Land Reforms Deputy Collector, Lakhisarai.
4. The Block Development Officer, Suryagarha, Lakhisarai.
5. The Circle Officer, Suryagarha Anchal, Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Advocate
For the Respondent/s : Mr. Ajay Behari Sinha, GA-8

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 05-09-2024

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 issuance of an appropriate writ/writs or direction to the respondents for measurement/demarcation of the boundary of the disputed land, appertaining to Mauza- Lakshamipur, Thana No.-81, Tauji No.-5443, Khata No.-52, Plot No.-136, Area-5.5



decimal, which has been purchased by the father of the petitioner namely Ramakrishna Prasad.

(ii) For issuance of an appropriate writ or writs commanding the respondents particularly 03 to ensure the compliance of the order dated 31.10.2023 passed in BLDR Case No. 03/2023-24 for which petitioner had filed D.V. No. 863 dated 05.0.2024.

(iii) For any other relief or reliefs for which petitioner is entitled under law as well as on facts.”

3. Learned counsel for t13237he petitioner submits that father of the petitioner purchased the land of Mauza- Lakshampur, Thana No. 81, Tauji No. 5443, Khata No.-52, Plot No. 136, Area 5.5 decimal from ex-raiyat namely Awadh Kishore Prasad vide registered sale deed dated 18.11.1976. After purchase, the land got mutated in the name of Anchal Sirista of the Government of Bihar and after mutation father of the petitioner started paying land revenue vide Jamabandi No. 258(Annexure-P/2). Learned counsel further submits that heirs of Late Matuki Paswan, who was the owner of the different



plots on the southern side of the land in question, the respondents started constructing dwelling house over the land but on 29.11.2021 by putting building materials and other waste material, they encroached some part of the land in question. Learned counsel further submits that when the petitioner raised objection, the accused persons threatened to implicate him in false case. Learned counsel further submits that vide BLDR Case No. 03/2023-24, learned DCLR, Lakhisarai passed the order on 31.10.2023 after hearing the parties directed the concerned Circle Officer to issue notice to the respondents and conduct measurement of the land in question. Learned counsel further submits that the said order/judgment passed by the learned court of DCLR was forwarded to the concerned Circle Officer on 18.12.2023 but the same has not been complied as yet. Learned counsel further submits that petitioner has also preferred an application dated 05.03.2024 (Annexure-P/7) before the concerned Circle Officer for measurement of the land, but till date the said application has not been considered. Learned counsel for the petitioner, therefore, prays that the concerned Circle Officer may be directed to consider the pending application dated 05.03.2024 (Annexure-P/7) within a time frame.



4. Learned counsel for the State raised no objection to the prayer made by the petitioner for disposal of the application dated 05.03.2024 pending before the concerned Circle Officer.

5. Considering the aforesaid facts and circumstances, the Circle Officer, Suryagarha Anchal, Lakhisarai (Respondent No. 5 herein) is directed to consider the application of the petitioner dated 05.03.2024 (Annexure-P/7) after perusing the documents filed on behalf of the petitioner and pass reasoned and speaking order in accordance with law within a period of three 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	09.09.2024
Transmission Date	N/A

