

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14804 of 2024

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Lakhan Chaudhary, son of Late Hari Chaudhary, resident of Village-
Kutumba, P.S- Obra, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Aurangabad (Bihar).
3. The Additional Collector (Lok Shikayat Nivaran) District-Aurangabad-cum-First Appellate Authority, Aurangabad.
4. The Sub. Divisional Officer, Aurangabad (Bihar).
5. The Circle Officer, Kutumba Anchal, District- Aurangabad (Bihar).
6. The S.H.O., Kutumba Police Station, District- Aurangabad.
7. Anil Tiwari, son of Lalan Tiwari, resident of Village- Kutumba, P.S- Kutumba, District-Aurangabad (Bihar)
8. Sunil Tiwari, son of Lalan Tiwari, resident of Village- Kutumba, P.S- Kutumba, District-Aurangabad (Bihar)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs. Sunita Kumari, Advocate
For the Respondent/s	:	Dr. Md. Raisul Haque, S.C.-10

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-09-2024 Heard learned Advocate for the petitioner and the

learned Advocate for the State.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondent authorities specially the Circle Officer, Kutumba Anchal (Aurangabad) to dispose of the pending case and pass appropriate order in pursuant to the order dated 12.03.2024 passed by the District Magistrate-cum-Collector, Aurangabad whereby the learned



District Magistrate has directed the Circle Officer to pass appropriate order in accordance with law after hearing both the parties.

3. Learned Advocate for the petitioner contended that the land in question was recorded in the name of State as Gairmajarua Malik (Parti Kadim) and the petitioner being the landless person and have been coming in continuous possession, the land has been settled in Land Settlement Case No. 110 of 1976-77 and accordingly Parwana No. 42 has been issued in favour of the petitioner. It is further contended that having got settlement of the land, Jamabandi has also been created and the rent has been fixed.

4. However, all of a sudden in the year 2021, the private respondents has started making hindrances whereupon the petitioner filed an application for measurement of the settled land before the Circle Officer, Kutumba and finally the matter came up before the District Magistrate-cum-Collector, Aurangabad, who has directed the Circle Officer, Kutumba to take appropriate action, but till date nothing has been done.

5. On the other hand learned Advocate for the State submits that since the matter is pending before the Circle Officer, Kutumba Anchal (Aurangabad), he shall be obliged to



pass an appropriate order considering the revenue records and the materials available.

6. Having heard the learned Advocate for the respective parties and considering the nature of the grievance, the writ petition stands disposed off with a direction to the respondent no. 5 to consider the claim of the petitioner, in terms of the order dated 12.03.2024 passed by the District Magistrate-cum-Collector, Aurangabad and pass appropriate order in accordance with law, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

(Harish Kumar, J)

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