

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15095 of 2024

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Renu Kuwar Wife of Late Asharesh Chaudhary Resident of Village- Sikariya,
Shankarpur, P.S.- Imdrapuri, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Prohibition, Excise and Registration Department, Government of Bihar, New Secretariat, Patna.
2. District Magistrate, Rohtas.
3. District Sub-Registrar, Sasaram, Registration Department, District- Rohtas.
4. Sub- Registrar, Registration Department, Dehri-On-Sone, District- Sasaram.
5. Assistant Commissioner, Prohibition, Excise and Registration Department, District- Rohtas.
6. Circle Officer, Dehri, District- Rohtas.
7. Officer Incharge, Indrapuri Police Station, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Advocate
For the Respondent/s : Mr. Standing Counsel (4)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 07-10-2024

Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondents to grant permission to the petitioner to sell her land for her survival, situated in Sikaria Mauja of Dehri Anchal bearing Thana No. 186, Khata No. 23, Khesra No. 89 ad measuring 12.5 decimal.

3. Learned Advocate for the petitioner contended that the land, in question, was purchased by the husband of the petitioner on 27.10.2008 vide sale deed no. 12876. Having



purchased the land, afore-noted, mutation has been done and the rent receipts have also issued in his favour. While the petitioner along with her family members were enjoying the peaceful possession over the land, in question, in the meantime, the petitioner's husband died on 31.07.2011. Facing constraint of any financial support to survive in life, the petitioner took a decision to sell her land, in question, to some of the willing buyer, but when they approached before the respondent no. 4, the sale deed of the petitioner has not been executed on the ground that the land, in question, is the subject matter of Confiscation Case No. 120 of 2022, titled as Government Vs. Suryadev Choudhary.

4. Learned Advocate for the petitioner contended that the land, which is the subject matter of the Confiscation Case No. 120 of 2022, is owned by the father-in-law of the petitioner and the land, which is being sold by the petitioner, in no way related to or the subject matter of the Confiscation Case No. 120 of 2022.

5. Learned Advocate for the State, at this juncture, submits that the matter is required to be examined by a competent authority *qua* the revenue record, as to whether the land, which is being intended to be sold by the petitioner, is the



subject matter of the confiscation proceeding or not.

6. Considering the nature of the grievance of the petitioner and the contentions advanced, this Court deems it fit and proper to dispose off the writ petition with a direction to the respondent no. 2 to verify the claim of the petitioner, as to whether the land, in question, which is being intended to be sold by the petitioner is the subject matter of the Confiscation Case No. 120 of 2022 or not. In case, the subject land is not the subject matter of confiscation case, an information in this regard be issued to the respondent no. 4, who shall proceed with the execution of the sell deed(s), in accordance with law.

7. The entire exercise must be completed within a period of eight weeks, from the date of receipt/production of a copy of this order.

8. The writ petition stands disposed off with the aforesaid observation and direction.

(Harish Kumar, J)

shivank/-

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

