

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18687 of 2023

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Md. Kurhan Ali son of Late Taiyab Ali, resident of Village-Mirkaha, P.O. and P.S.-Mansahi, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. District Magistrate-cum-Collector, District-Katihar.
4. Additional Collector (Revenue), Katihar, District-Katihar.
5. Circle Officer, Mansahi, District-Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raju Giri, Advocate
For the Respondent/s : Mr. Sajid Salim Khan (Sc 25)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-05-2024 Heard Mr. Raju Giri, learned counsel for the

petitioner and Mr. Sajid Salim Khan, learned SC-25.

2. The present petition has been preferred for the
following reliefs:

*(i) to issue an appropriate writ /
order / direction, in the nature of certiorari
for quashing the Notice dated 11.07.2022
issued by the Circle Officer, Mansahi,
District- Katihar by which the said Notice
has been issued to the petitioner in whose
name the land of village Marangi bearing
Khata No. 82. Khesra No. 317 (Area 10.5
decimals) and 318 (area 6 decimals) were*



settled vide settlement case no. 59/75-76 (as contained in Annexure-5);

(ii) to issue an appropriate writ order / direction, holding that the entire proceeding of Ceiling Proceeding Case NO. 12/74-75 of District- Katihar especially the Order dated 24.11.2003 passed by the Board of Revenue of Bihar in the Revision Case NO. 23 of 2001 and subsequent Orders passed in the aforesaid Ceiling Case at the back of the petitioner after settlement of the land in their favour is not applicable and binding on the petitioner;

(iii) to issue an appropriate writ / order / direction, commanding in nature of the respondent mandamus District Magistrate, Katihar, not to disturb the possession of the petitioner from the land in question and also to force them to vacate their houses.

3. The notice has been issued to the petitioner on 11.07.2022. Almost two years have lapsed, it would be appropriate that he appears before the office of the Circle Officer, Mansahi, Katihar pursuant to the notice dated 11.07.2022 so that the same is taken to its logical conclusion.

4. Needless to say, once the petitioner appears, the concerned respondent is duty bound to notice/hear all the parties



before passing the final order.

5. The writ petition stands disposed of.

(Rajiv Roy, J)

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