

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18754 of 2024

Sri Niwas Singh Son of Late Pohkal Singh @ Late Pulpul Singh, resident of village- Kochas, P.O. and P.S. - Kochas, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through Director of Land Records Govt. of Bihar, Patna.
2. In-charge Consolidation Officer, Kochas, Block, P.S. and P.O. - Kochas, District - Rohtas (Sasaram).
3. Laxman Singh, Son of Late Ram Sewak Singh, Resident of Village-Gobindpur, P.O. and P.S.- Kochas, District- Rohtas at Sasaram.
4. Bharat Singh, Son of Late Ram Sewak Singh, Resident of Village-Gobindpur, P.O. and P.S.- Kochas, District- Rohtas at Sasaram.
5. Baban Singh, Son of Late Ram Naresh Singh, Resident of Village-Gobindpur, P.O. and P.S.- Kochas, District- Rohtas at Sasaram.
6. Sri Bhagwan Singh, Son of Late Ram Naresh Singh, Resident of Village-Gobindpur, P.O. and P.S.- Kochas, District- Rohtas at Sasaram.
7. Motichand Singh, Son of Late Ram Nagina Singh, Resident of Village-Gobindpur, P.O. and P.S.- Kochas, District- Rohtas at Sasaram.
8. Laljee Singh, Son of Late Ram Nagina Singh, Resident of Village-Gobindpur, P.O. and P.S.- Kochas, District- Rohtas at Sasaram.
9. The Principal Secretary Revenue and Land Department Govt of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.
For the Respondent/s : Mr.Standing Counsel 11

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 10-12-2024

In the instant writ petition, petitioner has prayed for the following relief (s) :-

“(i) To issue a writ of mandamus or



any other writ or writs, direction or directions, commanding upon the respondents to correct the Chak entry of the land in question in the name of petitioner and his brother Ram Bachan Singh fully detailed in Para No. 4 of this writ application situated in Village- Gobindpur, P.S & Anchal- Kochas, District- Rohtas, which has been wrongly prepared in the name of Kauleshwar Singh, the grandfather of the Respondent No. 3 to 8, who has sold the land in question in the names of the petitioner and his brother by virtue of registered sale deeds dt. 13.06.73.

(ii) To pass any such other order or orders as this Hon'ble Court thinks fit & proper.”

2. Learned counsel for the petitioner submitted that Kauleshwar Singh son of Mahabir Singh was the owner of Khesra No. 3, 4, 5 & 7 who sold the same by three sale deeds dated 13.06.1973, area 1 bigha 10 katha and further sold an area of 2 bigha and also 2 katha land in the name of petitioner and his brother Late Ram Bachan Singh for a valuable consideration and put the petitioner and his brother in possession thereof and since then the petitioner with his brother came in possession over the same and their names have also been mutated in the sirista of State of Bihar and are paying rent of the same. Learned



counsel submits that grievance of the petitioner is for correction in the Chak Entry of the land in question in the name of the petitioner and his brother which has wrongly be prepared in the name of Kauleshwar Singh, the grandfather of respondent nos. 3 to 8.

3. Learned counsel for the State submits that petitioner has not put his grievance before any competent authority and without exhausting the remedy available, he has directly rushed to this Court in its writ jurisdiction, and as such, the present writ petition is not maintainable.

4. Be that as it may, for seeking writ of mandamus, there must be a demand before the competent authority. At the same time, duty is cast on the concerned public authority. The first ingredient of demand before the competent authority is not forthcoming.

5. Considering the facts and circumstances of the case and the arguments advanced on behalf of both the parties, the present writ petition is disposed of with liberty to the petitioner to approach the authority concerned/ respondent no. 2 for redressal of his grievance, which has been raised by the petitioner in the present writ petition, within a period of four weeks from the date of receipt of a copy of this order. The



concerned authority is directed to consider and dispose of the grievance of the petitioner after giving him due opportunity, expeditiously within a reasonable period of time.

(Alok Kumar Pandey, J)

mcverma/-

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

