

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.719 of 2024

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Baikunth Jha Son of Late Pitamber Jha Resident of Village Rakauli, P.S Panjwara, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. Collector Cum District Magistrate, Banka
4. Additional District Magistrate, Banak.
5. Sub Divisional Magistrate, Banka.
6. Deputy Collector, Land Reforms, Banka.
7. Circle Officer, Barahat, Banka
8. Arvind Mandal Son of Late Parmeshwar Mandal Resident of Village-Rakouli, P.S. Panjwara, District-Banka.
9. Chulhai Rout @ Mirtyunjay Rout, Son of Horil Rout Resident of Village-Rakouli, P.S. Panjwara, District-Banka.
10. Mandeshwari Mandal Son of Late Baldeo Mandal Resident of Village-Rakouli, P.S. Panjwara, District-Banka.
11. Hemkant Mandal Son of Late Likho Mandal Resident of Village-Rakouli, P.S. Panjwara, District-Banka.
12. Kumod Mandal Son of late Patho Mandal Resident of Village-Rakouli, P.S. Panjwara, District-Banka.
13. Shambhu Rout Son of Late Kutto Rout Resident of Village-Rakouli, P.S. Panjwara, District-Banka.
14. Rinku Jha @ Ashish Kumar Jha Son of Late Sanjay Jha Resident of Village-Rakouli, P.S. Panjwara, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar Singh, Advocate
For the Respondent/s : Mr.Government Pleader (23)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-04-2024 Heard Mr. Rajiv Kumar Singh, learned counsel for

the petitioner and the State.

2. The petitioner has prayed for the following reliefs:



(i) for issuance of an appropriate writ including a writ in the nature of Certiorari quashing the order dated 25.10.2023 passed in Bihar Land Dispute Resolution Case No. 66/ 2023 24 (Annexure P/8) by the Deputy Collector, Land Reforms, Banka (Respondent NO. 6) whereby and where under the said impugned order has not been passed in accordance with Section 13 Sub Section 5, 6, 7, 8 and 10 of Bihar Land Dispute Resolution Act, 2009. The said authority/ Court of Deputy Collector, Land Reforms, Banka passed the said impugned order on the basis of Compromise between the parties which is not true and also not decided the actual Rakva. The dispute between the parties of Mauja Rakouli Thana No. 365 Khata no. 62, Khesra No. 451/ 146 Rakwa 10 Decimal on the basis of the



report dated 20.02.2022 submitted by the Anchal Amin, Barahat to the Circle Officer, Barahat, Banka stating therein that some villagers i.e. the Respondent no. 8 to 14 have forcibly captured the land of the petitioner but the Respondents have not taken any legal step against the Respondent no. 8 to 14 but the said learned Court has decided only 5.5 Decimal on the basis of Compromise which is not true and as such on these reason the said impugned order is not sustainable in the eye of law;

(ii) for issuance of any other appropriate writ (s), order (s), direction(s) as may be deemed fit and proper in the facts and circumstances of the case;

(iii) any other relief to which the petitioner is found entitled to.

3. After some argument, Mr. Singh submits that he



will be preferring an appropriate petition against the order dated 25.10.2023 passed by the Land Reforms Deputy Collector, Banka in Bihar Land Dispute Resolution Case No. 66 of 2023-24 (Baikunth Jha vs. Arvind Mandal & Ors.). He however, submits that there has been delay in approaching the Appellate Authority.

4. In view of the limited prayer made by the petitioner, the writ petition stands disposed of with observation that if appropriate petition along with documents is/are preferred by him within a period of four weeks from today, the limitation petition has to be considered in the light of the fact that the delay occurred due to pendency of the writ petition before the Patna High Court.

5. The writ petition stands disposed of.

(Rajiv Roy, J)

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