

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.207 of 2024

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Shamsul Hassan Khan Son of Late Dr. Quamarul Hassan Khan@ Qamrul Hassan Khan Resident of Village-Shahdeokhap, Police Station-Magadh Vishwavidyalaya, Anchal-Bodh Gaya, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat Building, Patna.
2. The District Magistrate, Gaya.
3. The Circle Officer, Gaya, District Gaya
4. The Revenue Clerk, Circle Bodh Gaya, District-Gaya.
5. The District Sub Registrar, Gaya, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari, Advocate
For the Respondent/s : Mr.Standing Counsel (11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 04-07-2024 The present writ petition has been filed seeking the following reliefs:-

“1. (I) For issuance of an appropriate writ/writs in the nature of writ of Mandamus directing the Respondent No. 5 to register the instrument presented by the petitioner in February, 2021 with respect to the land appertaining to old Khata No. 228, Plot Nos. 307, 864, new Khata No. 236, Plot No. 419/1122 having an area 0.25 acre situated in Mouza Sahdeokhap bearing Thana No. 427,



Touzi No. 4750 Police Station- Bodh Gaya, District Gaya;

(II) For direction/directions to the respondents directing them to delist/exclude above stated land of the petitioner from the Sale Stop List (Rok Suchi) prepared by the respondent because the said land admittedly is a private land of the petitioner and not a Government land as being claimed by the respondent."

2. At the outset, the learned counsel for the respondent-State has submitted, by referring to the counter affidavit filed in the present case, more particularly paragraphs no. 8 and 9 thereof, that the restriction regarding ban on registration of the land appertaining to Plot No. 419/1122, Khata No. 236 situated at Mouza Sahdeokhap, Thana No. 427, Touzi No. 4750, Circle-Bodh Gaya, District-Gaya, has been removed inasmuch as the District Magistrate-cum-Registrar, Gaya has directed the respondent no. 5 i.e. the District Sub-Registrar, Gaya to remove the restriction upon registration of the land in question.

3. Nonetheless, the learned counsel for the



petitioner submits that despite removal of restriction upon the registration of the land in question, the website is showing that the land in question is still under restriction category, hence the petitioner is not able to sell the land.

4. In view of the aforesaid, I direct the District Magistrate, Gaya as also the District Sub-Registrar, Gaya to immediately remove the land in question from the restricted category by amending the status on website, within a period of 48 hours, failing which they shall not draw their salary.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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