

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.843 of 2025

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Bishnu Deo Thakur son of late Ram Lakhan Thakur, Resident of Village-
Karanja Road, New Mainpura, Danapur Cant. P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Commissioner, Patna.
3. The District Magistrate-cum-Collector, Patna.
4. The Additional District Magistrate-cum-Collector, Patna.
5. The Land Reforms Deputy Collector, Danapur, Patna.
6. The Sub Divisional Officer, Danapur, Patna.
7. The Circle Officer, Naubatpur, Patna.
8. The Officer-in-Charge, Piplawan, Naubatpur, Patna.
9. The Anchal Amin, Anchal Naubatpur, Patna.
10. The Halka Karamchri, Gram Panchayat Raj Jaitipur- Piplawan, P.S.- Piplawan, District- Patna (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh
For the Respondent/s : Mr. Ramadhar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-02-2025 1. Heard learned counsel for the petitioner and
learned GP-25 for the State, Mr. Ramadhar Singh.

2. The learned counsel for the petitioner submits that
the instant writ application has been filed seeking quashing of
the notice dated 28.12.2024 issued by the Circle Officer,
Naubatpur whereby two days' time has been given to the
petitioner to furnish his explanation that as to on what basis the
petitioner is in possession of land pertaining to Thana No. 211,



Jamabandi No. 314, Khata No. 202, Khesra No. 34 Area 1 acre
3 decimal at Mauza-Piplawan.

3. The learned counsel for the petitioner submits that it absolutely does not stand to reason that why the Circle Officer, Naubatpur vide his notice dated 28.12.2024 gave such short time to the petitioner to establish his case with respect to the land in dispute as recorded hereinabove.

4. The learned counsel for the petitioner next submits that petitioner had purchased the land in dispute from Gulam Rasul vide registered sale deed in the year 1988 in pursuance whereof the land was mutated in the name of the petitioner and Jamabandi No. 314 was created and since then petitioner is in possession of the land in dispute and is paying rent to the State of Bihar. It is further submitted that earlier land encroachment case was initiated against Gulam Rasul, the vendor of the petitioner, but then the said encroachment case was decided in favour of Gulam Rasul and it was thereafter that petitioner had purchased the land from him in the year 1988.

5. The learned State counsel submits that petitioner has come before this Court challenging the notice by which he was required to appear before the Circle Officer, Naubatpur to establish his right and possession over the land in dispute but it



appears from the pleadings made in the writ application that instead of approaching the Circle Officer by submitting documents to establish his right and possession over the land in dispute, the petitioner has rushed to this Court, on which the learned counsel appearing on behalf of the petitioner submits that no doubt no representation or documents have been filed before the Circle Officer in pursuance of the notice dated 28.12.2024, but then the petitioner had gone to meet him, but the Circle Officer did not entertain the petitioner, on which the learned counsel appearing on behalf of the State submits that a false submission is being made for the reason that if the petitioner was not entertained by the Circle Officer, Naubatpur the petitioner could have represented before his superior authorities or could have represented by sending a letter or explanation through registered post along with the documents.

6. On query of the Court from the learned counsel appearing on behalf of the petitioner with regard to the stage of the case after notice, on which it is submitted that petitioner is still in possession of the land in dispute, on which the learned counsel appearing on behalf of the State submits that the writ application be disposed of with a direction to the petitioner to submit his representation along with documentary evidence to



establish his right and possession over the land in dispute in the instant writ application, as from the notice dated 28.12.2024, it would manifest that the same records that the land is *Parti Kadam*.

7. After hearing the learned counsel for the parties, the writ application is disposed of with liberty to the petitioner to file a representation along with all the relevant documents relating to the land before the Circle Officer, Naubatpur on or before 05.03.2025.

8. It is further made clear that if any representation is filed by the petitioner along with relevant documents relating to the land before the Circle Officer, Naubatpur on or before 05.03.2025, in that event the Circle Officer, Naubatpur shall dispose of the same in accordance with law within a further period of one month.

9. The writ application is disposed of.

(Satyavrat Verma, J)

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