

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1240 of 2025

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Manoj Prasad Singh Son of Rajeshwar Prasad Singh resident of Village
Basopatti Duhabi Bazar, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Madhubani
2. The Collector, Madhubani
3. The Circle Officer, Basopatti, District- Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Harshwardhan Sahay, Advocate

For the Respondent/s : Mr. Md. Raisul Haque, SC.10

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-01-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed to quash
Notice No. 16 dated 06.07.2024, issued by the Circle Officer of
Basopatti, as the petitioner's land has been marked for the
construction of a government building.

3. Learned counsel for the petitioner submits that the
land in question belongs to Old Khata No. 524, Khesra No.
2386, with an area of 1 Acre and 64 decimals. He further



submits that the land is recorded as 'Gair Mazrui Khas Land' in the Khatiyani and was settled by the ex-landlord of Darbhanga Raj to the petitioner's father in 1946. Rent receipts were issued to the petitioner's father in 1946, and after the vesting of Zamindari in Bihar, rent receipts continued to be issued in his name. Subsequently, the Department of Revenue and Land Reforms, Government of Bihar, issued a Resolution via Memo No. 6 dated 11.11.2014, providing guidelines for the settlement of Gair Majrui Khas Land.

4. Learned counsel for the petitioner further submits that despite the Government Resolution dated 11.11.2014, the Circle Officer of Basopatti, in gross violation of the resolution, issued Notice No. 16 dated 06.07.2024. Consequently, the petitioner has filed the present case seeking to set aside or quash the said notice.

5. Learned counsel for the State, on the other hand, submits that the petition is premature, as the Circle Officer has only directed the petitioner to appear before him on 08.07.2024, with documents related to the land.

6. In light of the submissions made by both parties and the documents annexed, it transpires to this Court that the petitioner possesses documents showing that certain portions of



land belonging to Khata No. 524, Khesra No. 2386, and Khesra No. 2343 were settled to the petitioner. The Government of Bihar's Resolution dated 11.11.2014 provides specific guidelines for the settlement of Gair Majrui Khas Land to be recorded as raiyati land. It further transpires that the petitioner is not a stranger to the land; he claims the land based on the settlement document from the ex-landlord, followed by rent receipts issued by the Zamindar and the State of Bihar.

7. Due to these facts, this Court is of the opinion that there is substance in the petitioner's case, and the Resolution dated 11.11.2014 is in favor of the petitioner. Therefore, the petitioner is directed to appear before the Circle Officer, Basopatti, along with a copy of this order and all relevant documents supporting his claim, within 30 days from today. The Circle Officer, Basopatti, is directed to examine the documents submitted by the petitioner and decide the matter in accordance with the law and in light of the Resolution issued vide Memo No. 6 dated 11.11.2014, within 90 days from the petitioner's appearance.

8. However, it is made clear that no construction work shall be carried out on the petitioner's land, which he claims to have received via settlement from the ex-landlord, until the



Circle Officer, Basopatti, has made a decision on the documents submitted by the petitioner.

9. With the aforesaid observation and direction, the Writ Petition stands disposed off.

(Dr. Anshuman, J)

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