

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1068 of 2025

Subhash Prasad S/o Virendra Prasad Singh, Resident of Ward No. 09,
Gobindpur Gokhula, P.S.-Bidupur, Distt-Vaishali, Bihar, PIN Code-844503.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar.
2. The Collector cum District Magistrate, Vaishali.
3. The Additional Collector, Vaishali.
4. The Deputy Collector Land Reforms, Hajipur, Vaishali.
5. The Block Development Officer, Bidupur, Vaishali.
6. The Circle Officer, Bidupur, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Advocate
For the Respondent/s : Mr. AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-03-2025 Heard learned counsel for the petitioner and learned AC
to AAG-7 for the State.

2. Learned counsel for the petitioner submits that the land in dispute in the present case relates to RS Khata No. 150, RS Plot No. 750, area 50 decimals at Mauza Govindpur Gokhula, Thana No. 422, district Vaishali. It is further submitted that the aforesaid land was settled by the ex-landlord in favour of the ancestors of the petitioner in the year 1948 through Rasidi Bandobasti as would manifest from Annexure-P/1 to the writ application. It is next submitted that during the revisional survey, the land in dispute inadvertently was recorded in the name of State of Bihar. The ancestors of the petitioner being illiterate persons



were not aware that their settled land was recorded in the revisional survey in the name of State of Bihar but when they came to know about the said wrong committed, they filed Misc. Case No. 698 of 1996 before the Deputy Collector, Consolidation, Vaishali at Hajipur for rectifying the said mistake made in the Revisional Survey Khatian. It is also submitted that the State of Bihar was also a party in Misc. Case No. 698 of 1996 and notices were issued upon the State of Bihar but despite valid service of notice no one appeared on behalf of the State of Bihar, as such, the Deputy Director, Consolidation, Vaishali at Hajipur passed an order dated 15.02.1997 (Annexure-2) allowing Misc. Case No. 698 of 1996 with a direction to make necessary correction in the Chak Khatian, accordingly, necessary correction in the Chak Khatian was made as would manifest from Annexure-P/3. It is submitted that the order passed in Misc. Case No. 698 of 1996 dated 15.02.1997 in absence of challenge has attained finality but still the authorities are disturbing the possession of the petitioner over the land in dispute. It is further submitted that the land in dispute has been identified for construction of Panchayat Sarkar Bhawan for which materials have been brought and kept on the land of the petitioner but then the construction till date has not proceeded.

3. Learned counsel appearing on behalf of the State



seeks time for filing counter affidavit.

4. The Court in the nature of controversy involved is not inclined to grant time to the State for filing counter affidavit but then gives liberty to the petitioner to file a detailed representation before the Collector, Vaishali at Hajipur bringing to his notice the entire facts of the case with all the relevant documents.

5. After hearing the learned counsel for the parties, the writ application is disposed of with a liberty to the petitioner to file a detailed representation annexing all the relevant documents with respect to the land in dispute before the Collector, Vaishali at Hajipur on or before 03.04.2025, if any representation is filed by the petitioner on or before 03.04.2025 in that event, the Collector, Vaishali at Hajipur shall consider and dispose of the representation after giving an opportunity of hearing to the petitioner within a period of two months thereafter.

6. It is made clear that till the representation of the petitioner is not decided by the Collector, Vaishali at Hajipur, no coercive action shall be taken against the petitioner by the authorities.

(Satyavrat Verma, J)

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