

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3515 of 2017

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1. Ram Pravesh Pandit and Ors S/o - Late Ram Bhajan Pandit Resident of Village - Vidhipur, Thana - Salimpur, Anchal - Bakhtiyarpur, District - Patna.
 2. Sarina Devi W/o Late Jagdish Pandit, S/o Late Ram Bhajan Pandit Resident of Village - Vidhipur, Thana - Salimpur, Anchal - Bakhtiyarpur, District - Patna.
 3. Gyani Pandit S/o Late Ram Bhajan Pandit Resident of Village - Vidhipur, Thana - Salimpur, Anchal - Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Patna.
3. The Sub-Divisional Officer, Barh, Patna.
4. The Circle Officer, Bakhtiyarpur, Patna.
5. The Officer-in-Charge, Salimpur, Bakhtiyarpur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Akshay Lal Pandit, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha- Sc19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2025 Heard the parties.

2. The present writ petition has been preferred for:

i) For issuance of a writ in the nature of a writ of certiorari quashing the Memo no. 189 dated 08.02.2017 issued by the Circle Officer, Anchal-Bakhtiyarpur whereby he has cancelled the land settlement no. 08/78-79 pertaining to Khata no.- 265, Khesra no. 695 in respect of 2.5 Dismils existing in the names of these three petitioners who happens to be own brothers in the garb of the order dated 29.11.1999 passed in C.W.J.C no. 5418/1988 and has directed the petitioners to vacate their dwelling houses within 15



days.

(ii) For issuance of a writ in the nature of a writ of mandamus commanding the respondent authorities not to disturb the peaceful legal and physical possession of the houses of these petitioners after more than 35 years of settlement by way of issuance of Basgit parchas in favor of the father of these petitioners as all the these petitioners are residing on the piece of the land with their families as well as they have been continuously paying land revenue to the Govt. of Bihar.

(iii) For holding that the order dated 29.11.1999 passed in C.W.J.C no. 5418/1988 by this Hon'ble Court is not applicable on these petitioners as neither they were made parties in the writ petition nor any notice/objection has been sent to them in the past 35 years since issuance of Basgit Parchas.

(iv) For holding that as Basgit Parchas was issued towards the land in question in the year 7879 after following due procedure of law by the then Circle Officer who is the Competent Authority for issuance of Basgit Parchas in favor of landless persons then under what circumstances the notice of vacating the dwelling houses is maintainable and sustainable and the same has been sent under collusion with local influential persons who are bent upon making these petitioners shelterless.

(v) For any other relief/(s) applicable in the facts and circumstances of the case.

3. Mr. Akshay Lal Pandit after some argument submits that he may be



permitted to withdraw the petition to explore the alternative remedy.

4. Granting said liberty, the writ petition is disposed of.

(Rajiv Roy, J)

Raj Ranjan/-

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