

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8027 of 2017

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Lautan Sharma S/o- Munni Sharma, Resident of Village- Banjariya, P.S.- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Krishi Ganana, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The Additional Director, Krishi Ganana, Department of Revenue and Land Reforms, Govt. of Bihar, Pat
4. The Minister, District Bhudan Yagya Karyalaya, Gopalganj Ararmore, District and P.S.- Gopalganj.
5. The President, Bihar Bhudan Yagya Committee, Bihar, Patna.
6. The District Magistrate, Gopalganj.
7. The Land Reforms Deputy Collector D.C.L.R. Gopalganj.
8. The Circle Officer, Kuchaikot, Gopalganj.
9. Dinesh Rai, S/o- Late Arjun Rai,
10. Dalal Mahto, S/o- Late Dhanai Mahto,
11. Ghuran Choudhary, S/o- Late Thag Choudhary, Sl. No. 9 to 11 are Resident of Village- Banjariya, P.O.- Mateya, P.S.- Kuchaikote, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 16-04-2025 Heard the parties.

2. The present appeal has been preferred for the grant
of following relief:

*“(i) for issuance of an appropriate
writ/order/direction upon the Respondents State
Officials to execute their own orders dated*



15.12.2015 and 12.01.2017.

(ii) that the petitioner further prays for issuance of an appropriate writ/order/direction upon the State Respondent remove the encroachment over the land in question and to restore the possession of the petitioner over the land in question.

(iii) that the petitioner further prays for issuance of any other appropriate writ/order/direction to which he is found entitled to.”

3. On the one hand, the stand of the petitioner is that the document on record (the order of learned D.C.L.R. dated 15.12.2015 in Bhoodan Case No. 2 of 2012-13) shows that Bhoodan land has been allotted to him, on the other hand, the submission is that the possession has not given.

4. The Bhoodan Yaga Committee is represented through its counsel and according to him, the allotment was never confirmed.

5. The stand of the State on the other hand thorough counter affidavit filed on behalf of respondent no. 6 to 8 shows that during the local inspection, the land has been found to be recorded as Partikadim under Gairmajaruwa Malik Khata having temple and public road.



6. The petitioner is having an order of the Land Reforms Deputy Collector, Gopalganj, the State and the Bhoodan Committee are singing different tunes. The matter has to be taken to its logical conclusion and the petitioner cannot be allowed to move like a pendulum.

7. **The Collector, Gopalganj (respondent no.6)** has to play a role in the matter. He is required to go through all the documents of the petitioner, the State respondents as also the Bhoodan Committee and come to a logical conclusion on the claim of the petitioner.

8. The petitioner is directed to file a proper representation alongwith all the documents before the respondent no.6, the Collector, Gopalganj and if the same is filed within the aforesaid period, after hearing the parties, the Collector, Gopalganj is required to pass an appropriate order in next six months.

9. The writ petition stands disposed of.

(Rajiv Roy, J)

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