

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12168 of 2017

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Rajeshwar Singh Son of Late Lakshmi Singh, resident of Village- Jamalpur,
P.O. and P.S. Paraiya, District- Gaya, presently resident of 43426, Stukely dr,
Sterling VA 20166- 2133 USA.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate cum Collector, Gaya.
3. The Circle Officer, Paraiya, Gaya.
4. Jitendra Kumar, Son of Madhusudan Prasad, resident of Village- Jamalpur,
P.S.- Paraiya, District- Gaya.
5. Pushpa Devi, Wife of Jitendra Kumar, resident of Village- Jamalpur, P.S.
Paraiya, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-04-2025 Heard the parties.

2. The present petition has been preferred for the
grant of following relief(s):

*(i) For issuance of a writ of certiorari for
quashing of order dated 16.07.2005 passed by
the Circle Officer, Paraiya (Gaya) without any
case number whereby and where under approval
for Basgit Parcha of the petitioner's land
pertaining to Mauza-Ajmatganj village-
Jamalpur Khata No. 79 Plot No. 2 area 5
decimal has been given in favour of respondent*



no. 4 and 5 without any notice/opportunity of hearing to the petitioner.

(ii) For issuance of a writ of mandamus commanding the respondent no.3 to produce the 'Basgit Parcha' issued by him in favour of respondent no. 4 and 5 pursuance to order dated 16.07.2005 with regard to petitioner's land pertaining to Mauza- Ajmatganj village- Jamalpur, Khata No. 79 Plot No. 2 area 5 decimal as it could not be made available to the petitioner despite all possible efforts.

(iii) For issuance of a writ of certiorari for quashing of 'Basgit Parcha' issued by respondent no.3 in favour of respondent no.4 and 5 with regard to petitioner's land pertaining to Mauza- Ajmatganj village- Jamalpur Khata No. 79 Plot No. 2 area 5 decimal after its production by respondent no. 3 as the said Basgit Parcha' has issued in the teeth of natural justice and under utter violation of the provisions of Bihar Privileged Person Homestead Tenancy Act, 1947.



(iv) For issuance of any other relief/reliefs which may deem fit and proper of the facts and circumstances of the case and for which the petitioner may entitle.

3. At the outset, learned counsel for the petitioner submits that the respondent nos. 4 and 5 have preferred Title Suit No. 23/20/51/2020 (Jitendra Kumar & Anr. vs. Bhism Kumar Singh & Ors.) before the court of learned Munsif-II, Gaya in which the petitioner too has appeared as Intervenor defendant. He further submits that Bhism Kumar Singh is his cousin.

4. He as such submits that the petitioner will be pursuing the said suit pending before the competent court.

5. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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