

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2244 of 2025

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1. Viltu Yadav S/o Ram Prasad Yadav Resident of Village- Naudega, Post- Naudega Balha, Mahamadpur, P.S.- Singhia, District- Darbhanga.
 2. Dinesh Yadav, S/o Sibu Yadav Resident of Village- Naudega, Post- Naudega Balha, Mahamadpur, P.S.- Singhia, District- Darbhanga.
 3. Magain Yadav, S/o Yogendra Yadav Resident of Village- Naudega, Post- Naudega Balha, Mahamadpur, P.S.- Singhia, District- Darbhanga.
 4. Arjun Yadav, S/o Ramesh Yadav Resident of Village- Naudega, Post- Naudega Balha, Mahamadpur, P.S.- Singhia, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Darbhanga.
3. The Deputy Development Commissioner, Darbhanga.
4. The Circle Officer, Biraul, District- Darbhanga.
5. The Programme Officer, Biraul, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suryanarayan Yadav Mr. Ranjit Kumar Yadav Mr. Ugresh Kumar
For the Respondent/s	:	AC to GP-24

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-03-2025 1. Heard learned counsel for the petitioners and learned AC to GP-24 for the State.

2. The learned counsel for the petitioners submits that the land in dispute pertains to Khata No. 3075, Khesra No. 10998, Thana No. 287, area 1 acre 69 decimal at village- Pokhram, P.S. and Circle- Biraul, District- Darbhanga.

3. It is submitted that the land in dispute was acquired



by the petitioners' ancestor namely Feku Gope vide Patta No. 984 dated 15.01.1919, further after abolition of *zamindari*, the return was submitted in the name of petitioners' ancestor and *Jamabandi* was created and rent receipt was issued as would manifest from Annexure-1 to the writ application. It is next submitted that RS Plot No. 10998 was carved out from CS Plot No. 8097. It is next submitted that in the RS *Khatiyani*, the land in dispute was wrongly recorded as *Anabad Bihar Sarkar*, as such, the petitioners filed Title Suit No. 2297 of 2001 under Section 106 of the BT Act for making correction of entry made in RS *Khatiyani* with respect to the land in dispute, it is submitted that even State of Bihar was a party in Title Suit No. 2297 of 2001. It is further submitted that Title Suit No. 2297 of 2001 was allowed by a judgment and decree dated 15.05.2008 (Annexure-2) whereby the entry made in RS *Khatiyani* was set aside and direction was issued to make correction in the *Khatiyani* in the name of the petitioners. It is next submitted that the Circle Officer, Biraul, without verifying the issue in its correct perspective, has given no objection for construction of Panchayat Sarkar Bhawan on the ground that the land in dispute is *Gairmajarua* land. It is further submitted that the disputed land finds mention in Memo No. 2191 dated 17.12.2024 issued



by the District Magistrate, Darbhanga at Serial No. 50 (Annexure-3 series to the writ application). It is further submitted that the construction of Panchayat Sarkar Bhawan could not be started as measurement of the lands mention in Memo No. 2191 dated 17.12.2024 could not be done.

4. The learned counsel appearing on behalf of the State seeks time for filing a counter affidavit.

5. In the nature of relief sought in the writ application, the Court is not inclined to grant time to the State for filing counter affidavit.

6. After hearing the learned counsel for the parties, the writ application is disposed of with liberty to the petitioners to file a detailed representation before the District Magistrate, Darbhanga with regard to the grievance as raised in the instant writ application by annexing all the relevant documents on or before 03.04.2025.

7. In the event, if any application is filed by the petitioners on or before 03.04.2025, in that event, the Collector, Darbhanga shall consider and dispose of the same in accordance with law after giving an opportunity of hearing to the petitioner within a period of one month thereafter.

8. It is made clear that till the representation of the



petitioners is not disposed of by the Collector, Darbhanga till then no coercive action shall be taken against the petitioners.

9. It is further made clear that if any application is filed by the petitioners before the Collector, Darbhanga after 03.04.2025, in that event the Collector shall not be obliged to consider the representation of the petitioners.

(Satyavrat Verma, J)

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