

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13126 of 2016

Satyabhama Devi

... .. Petitioner/s

Versus

The State Of Bihar and Ors.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay, Advocate

For the Respondent/s : Mr. Birendra Prasad Singh, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2025 Heard the parties.

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

“(i) For setting aside the order dated 10/01/2013 passed by the learned Collector, Araria in Basgit Parcha Revision Case No.25/2011-12 whereby he has set aside the order dated 16.02.2009 passed in Basgit Parcha Case No.37/2008-09 by Circle Officer, Sikti and directed the case back to him with a direction to first determine if the petitioner was a privileged tenant as per Section 2(i) and (j) of the Bihar Privileged Persons Homestead Tenancy Act (hereinafter to be referred as the Act) and if so then pass a speaking order afresh complying the provisions of Rules 5 of



the Bihar Privileged Homestead Tenancy Rules 1948 (hereinafter to be referred as the Rules).

(ii) For setting aside the order dated 30.01.2014 passed in Basgit Parcha Case No.37/2008-09 on remand whereby the Circle Officer, Sikti on wrong assumptions of fact and law, has held that the petitioner does not come under the purview of definition of privileged tenant and dismissed her application filed earlier under the Act.

(iii) For holding that by order dated 07.01.2009 passed by the Circle Officer in Basgit Parcha Case No.37/2008-09 the petitioner was rightly found to be in possession of land in question and privileged tenant and accordingly pass order to issue of Basgit Parcha in her favour in respect to the land in question.

(iv) For restraining the Respondents during the pendency of this writ application from interfering with the possession of petitioner in respect to the disputed land in any manner whatsoever.



*(v) For any other appropriate relief or
reliefs to which the petitioners may be deemed
entitled.”*

3. It has been informed by the learned counsel for the petitioner that the sole petitioner is no more and as such, the heirs be granted liberty to approach afresh, if they so wants.

4. Learned State counsel has no objection to it.

5. In that background, granting said liberty to the heirs, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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