

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13524 of 2016

Bindhyachal Sah

... .. Petitioner/s

Versus

The State Of Bihar and Ors.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey
For the Respondent/s : Mr.Md. Khurshid Alam- Aag12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-07-2025 Heard the parties.

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

“i) For issuance of a writ in the nature of writ of mandamus directing the respondents to correct the Jamabandi entry in R.S. Khatiyan in the name of petitioner regarding the land of C.S.Khata No.70, Plot No.833,area 1 to decimals corresponding to R.S. Khata no.262, Plot No.863, area 1 decimal and also fixed the rent of the aforesaid land in his name on the basis of Judgment and decree dated 7.7.1982 and 14.7.1982.

ii) Issuance of a writ in the nature of writ of mandamus directing the respondent No.3 i.e. D.C.L.R.Sasaram to pass appropriate order on the petition filed by the petitioner for correction of Jamabandi in R.S.Khatiyan and fixation of rent in his name of the aforesaid land.



iii) Issuance of a writ in the nature of writ of mandamus commanding the respondents not to dispossessed the petitioner from the peaceful possession over the aforementioned land.

iv) Issuance of any other appropriate writ(s) or order(s) or direction(s) which may be deemed fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the order was passed in Title Suit No. 75 of 1977 which decided in his favour on 07.07.1982 and a decree was passed on 14.07.1982. The State after 38 years has preferred Title appeal No. 32 of 2020 before the Court of learned District Judge, Rohtas at Sasaram and has kept it pending for the last five years.

4. Learned State counsel submits that that there has been delay in filing this appeal, they shall be taking all steps to get the same adjudicated and further would prefer an appropriate petition for getting stay of the order passed in the Title Suit No. 75 of 1977.

5. Entire generation has changed between 1982 to 2025, but the State is buying time, 38 years after the Title Suit, order was passed in favour of the petitioner, an appeal has been preferred which has been kept pending.



6. In that background, this Court is accepting the words of the learned State counsel, Ms. Nutan Sahay that they shall be taking all steps for its disposal and for stay of the order passed in Title Suit No. 75 of 1977.

7. It is however made clear that if the State fails to get an interim order/stay of the Title Suit No. 75 of 1977 within a period of one year from today, they shall be duty bound to comply the order passed.

8. With the above observation, the writ petition is disposed of.

(Rajiv Roy, J)

Ankit Kumar/-

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