

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16254 of 2017

Sada Shiv Parvat @ Munna Parvat Son of Late Bijaya Nand Parvat, Resident of Village- Rampur Mathian, P.O.- New Bhojpur, P.S.- Simari, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors
2. The Collector, Buxar.
3. The Additional Collector, Buxar.
4. The Sub Divisional Officer, Dumraon, District- Buxar.
5. The Circle Officer, Simari, District- Buxar.
6. The Bihar Bhoodan Yagna Committee, At- Gardanibag, Road No.34, Patna-2, through its Chairman.
7. The Chairman, Bihar Bhoodan Yagna Committee, At- Gardanibag, Road No.34, Patna-2.
8. The Zila Mantri, District Bhoddan Office, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ved Prakash Srivastva, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam -Aag12
For the Respondent No. : Mr. Rajni Kant Singh, Advocate
6, 7, 8 (Bihar Bhoodan
Yagna Committee)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-07-2025 Heard Mr. M.N. Parbat, learned Senior Counsel for

the petitioner, Mrs. Nutan Sahay, learned AC to AG-12 and Mr.

Rajni Kant Singh for the Bhoodan Yagna Committee.

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

*“(a) To issue a writ of
certiorari for e letter no. 1380/017-440
dated quashing the 30.8.2017
(Annexure-5) issued by the Chairman of*



Bihar Bhoodan Yagna Committee, Patna to the Collector, Buxar, through which he has been pleased to request the Collector, Buxar, to take possession of private land of petitioner bearing Khata no.32 (Old), Plot no.388 (Old), having area 97 decimal, situated in Village - Rampur Mathian in the District of Buxar.

(b) To issue a further writ of certiorari for quashing the alleged order of Confirmation case no. 101/2 dated 8.7.1957, if any, (after calling it from the possession of Respondents) through which without following the procedure prescribed under Bihar Bhoodan Yagna Act, 1954 and Rules framed thereunder and also in complete violation of principle of natural justice, the alleged confirmation of land of petitioner has said to have been done in favour of Bihar Bhoodan Yagna Committee, dehoes the Rules and in illegal manner.

(c) To issue a further writ of certiorari for quashing the order / direction of learned Collector, Buxar, if any, issued to the Circle Officer, Simari, District-Buxar, (after calling it from the possession of Respondents), through which the Circle Officer has been asked to take possession of said land and hand over it to heirs of one late Chandrama Rai on the ground that the land in question was donated by late Vijaya Nnand Parbat to Bihar Bhoodan Yagna Committee in the year d was allotted by the Bihar Bhoodan Yagna Since and was Committee to said late Chandrama



Rai.

(d) To issue a writ of Mandamus, commanding the respondents to discharge their legal obligation to follow the decisions of the honourable courts as well as contents of revenue records regarding possession of petitioner and his family over the land in question and not to dispose them by taking possession of said land dehors the Rules and in illegal and arbitrary manner.

(e) To any other relief or, reliefs for which the petitioner may be found entitled to."

3. It is the case of the petitioner as narrated by learned Senior Counsel that the land always remained in their possession, the ancestors never handed it over to the Bhoodan Yagna Committee and the rent receipts are part of the record to support the claim put forward.

4. Counter affidavit has come on behalf of the State (Respondent Nos. 2 to 5) duly signed by the Circle Officer, Simari and paragraph-13 clearly shows that at that earlier times, the Sahabad district included the present districts of Bhojpur, Buxar, Rohtas and Kaimur. The present District Buxar does not possess the records to get it confirmed. It further records that though the Bhoodan Yagna Committee claims that Bhoodan Yagna Danpatra was confirmed in the year 1957, but no *Khata* was opened in the name of Bhoodan Yagna Committee or in the



name of Chandrama Rai.

5. The writ petition was filed in the year 2017, it saw the light of the day in the year 2025 when on 06.05.2025 considering the fact that the onus lies on the Bhoodan Yagna Committee to clarify the matter, learned counsel representing the said committee (Respondent Nos. 6 to 8) was directed to file counter-affidavit.

6. Today on call, no counter-affidavits are on record on behalf of the Bhoodan Yagna Committee and learned counsel prays for another adjournment.

7. Clearly, the Bhoodan Yagna Committee is buying time. The documents are on record, the State has also virtually supported the claim of the petitioner.

8. In that background, the letter no. 1380/017-440 dated 30.08.2017 issued by the authorities of the Bihar Bhoodan Yagna Committee is quashed.

9. The writ petition is allowed. No cost.

(Rajiv Roy, J)

Sudhanshu/-

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