

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3200 of 2025

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Bharat Singh @ Bharat Kumar Son of Late Lakhan Singh, Resident of
Village- Jaitpur, Police Station- Barhiya, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Lakhisarai.
3. The Additional Collector, Lakhisarai.
4. The Deputy Collector Land Reforms, Lakhisarai.
5. The Sub Divisional Officer, Lakhisarai.
6. The Circle Officer, Bahariya, Lakhisarai.
7. The Circle Amin, Barahiya, Lakhisarai.
8. The Officer In-charge, Barahiya Police Station- Barhiya, District- Lakhisarai.
9. Prabhat Singh @ Devan Singh Son of Prabhed Singh, Resident of Village- Jaitpur, Police Station- Barhiya, District- Lakhisarai.
10. Rajan Kumar Son of Prabhed Singh, Resident of Village- Jaitpur, Police Station- Barhiya, District- Lakhisarai.
11. Subodh Singh Son of Tanik Singh, Resident of Village- Jaitpur, Police Station- Barhiya, District- Lakhisarai.
12. Saurabh Kumar Son of Subodh Kumar, Resident of Village- Jaitpur, Police Station- Barhiya, District- Lakhisarai.
13. Rahul Kumar Son of Late Narad Singh, Resident of Village- Jaitpur, Police Station- Barhiya, District- Lakhisarai.
14. Aman Kumar Son of Pankaj Singh, Resident of Village- Jaitpur, Police Station- Barhiya, District- Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prakash Kumar, Advocate

For the Respondent/s : Mr. Santosh Chandra Bhaskar, AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN



ORAL ORDER

2 03-03-2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed seeking a direction to the respondent authorities to measure the petitioner's private land situated at Mauja-Jaitpur, Thana No. 190, Khata No. 709, Khesra No. 328 and 329, with areas of 0.25 decimals and 43 decimals, and to demarcate the aforementioned land while providing protection to the petitioner from the private respondents. The land in question was subject to Title Suit and Title Appeal. The decree has been prepared in Title Appeal on 15.02.1953.

3. It transpires to this Court that the counsel for the petitioner, instead of filing an execution case for the decree passed, has preferred to file a writ petition for the measurement of the land, thereby choosing a shortcut method for the same. It further transpires from the decree that the Title Appeal has arisen from the said foreclosure.

4. This Court is of the firm view that directly applying for measurement is not the correct approach, especially as the petitioner shall not receive delivery of possession in light of the execution case.



5. Therefore, this writ petition is hereby disposed of with a direction to the petitioner to avail the remedy before the Executing Court.

(Dr. Anshuman, J)

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