

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15780 of 2016

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Jamuna Singh Son of Late Raghu Singh All are resident of Village- Narari
Kala, P.S.- Narari Kala Khurd and District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Aurangabad.
3. The District Land Acquisiton Officer, Aurangabad.
4. The Circle Officer, Circle Barun, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Advocate
For the Respondent/s : Mr. Birendra Prasad Singh, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-08-2025 Heard Mr. Anirudh Kumar Verma, learned counsel for

the petitioner and the State.

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

*“for quashing the order dated
12.01.2016 and 11.01.2016 passed in Land
Verification case no. 1/2015-16 passed by the
District Collector Aurangabad as well as the
Additional Collector, Aurangabad direction to the
whereby and whereunder the petitioners'
entitlement over the lands in question have been
rejected without initiating proper proceeding as*



well as without Jurisdiction since no revenue law as well as circular permits to pass such type of order and apart from that the order under challenge is contrary to the direction passed in C.W.J.C. no. 4108 of 2013 by this Hon'ble court.

3. A counter-affidavit on behalf of the respondent nos. 2 to 4 duly signed by the Circle Officer, Barun was handed to the learned counsel for the petitioner but never filed in the office and as such, the same is missing in the High Court's file.

4. This Court had to take the help of the petitioner's copy according to which, the land in question is *Gairmajarua Malik* Land and not in the physical possession of the petitioners.

5. Paragraph 10 of the counter-affidavit read as follows:

“10. That, it is stated that in response to the letter no. 457 dated 01.12.2014 of respondent – D.M., Aurangabad, the requisitioned report has been submitted by the Halka Karamchari and Circle Inspector on 10.08.2015 stating therein that the land in question bearing Khata no. 7, Plot No. 8 claimed by the petitioners is recorded in C.S. Khatian as Gaimajarua Malik land and the



aforesaid land is not in physical possession of the petitioners. And in view of Memo No. 925 dated 11.11.2014 issued by the Secretary, Revenue and Land Reforms Department, Government of Bihar, the ownership of Gairmajarua Malik Land is vested in the State Government. Therefore, the claim of the petitioners over the said land may be rejected.”

6. The counter-affidavit was received by the petitioner in the year 2017 and there is no reply to it.

7. At this Stage, learned counsel for the petitioner submits that he shall be approaching the appropriate Court for the redressal of the grievance.

8. Granting said liberty and without commenting on the merit of the case, the writ petition stands disposed of.

9. It goes without saying that if such petition is preferred, the same shall be taken to its logical conclusion.

(Rajiv Roy, J)

Adnan/-

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