

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14113 of 2016

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Md. Anwar son of Md. Yunus resident of village - Singhia Thatol Police Station Dagaruwa District - Purnia.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner, Purnia.
3. District Magistrate, Purnia.
4. Deputy Collector, Land Reforms Baisi, sub division Baisi Police Station -Baisi District - Purnia.
5. Sub Divisional Officer, Sub division, Baisi, District - Purnia.
6. Circle Officer, Block Dagaruwa Police Station Dagaruwa District Purnia.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate
For the Respondent/s : Mr. Raj Kishore Roy-GP-18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2025 Heard Mr. Vikram Singh, learned counsel for the
petitioner and Mr. Raj Kishore Roy, learned GP-18

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

“(i) For issuance of appropriate writ/order/direction commanding the respondent for implementation of the order dt. 26.09.2014 passed in land dispute case no. 440/14 by respondent 3 for demarcation of land appertaining to mauza tathathol Thana no. 432 Khata no. 7 Khesra no 529 E Area 0.7 (Seven decimal) chased



by the petitioner in the year 2010 from the land owner.

(ii) For issuance of appropriate writ/order/direction commanding the respondents to restore the possession of the land after its demarcation as per the order of respondent no. -2

(iii) For issuance of appropriate writ/order/direction commanding the respondents to protect the possession over the land / part of the land over which the petitioner is residing till the disposal of the instant writ application.

3. Learned counsel for the petitioner submits that on 26.09.2014, the Deputy Collector Land Reforms, Baisi passed an order in Misc. Case No. 440 of 2014 directing the Circle Officer to take steps for measurement of the land (Annexure-1 to the petition). However, the Circle Officer, Dagarua has not acted on it.

4. A counter-affidavit has come on behalf of the respondent nos. 3 to 6 in which stand has been taken that no action can be taken for compliance of the order passed by the Deputy Collector Land Reforms, Baisi.

5. Learned counsel for the petitioner submits that pursuant to the DCLR, Baisi order, he represented before the Circle Officer, Dagaruwa and the concerned Officer is duty



bound to either comply the order and/or to pass an order of rejection so that he can challenge it before an appropriate authority/Court. Instead, he sat over the matter and has taken the *alibi* of the direction issued by the Revenue and Land Reforms Department dated 27.11.2018.

6. Learned State counsel concurs to the point that the Circle Officer, Dagaruwa can record the reason if he/she has chosen not to comply the order of the DCLR, Baisi.

7. In that background, the writ petition stands disposed of allowing the petitioner to file a fresh petition along with the order of the DCLR, Baisi and the Circle Officer, Dagaruwa (respondent no. 6) is duty bound to pass a reasoned order on the claim raised by the petitioner.

8. The petitioner shall be approaching the concerned respondent in next four weeks who shall be duty bound to pass an appropriate order in next eight weeks.

9. The writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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