

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22976 of 2018

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Harihar Prasad Singh S/o Shri Rijhan Singh, R/o Vill.- Dihgawpur, P.S.-
Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Circle Officer, Ujiyarpur , District- Samastipur .
3. The Collector , Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Adv.
For the Respondent/s : Mr. Raj Kishore Roy -Gp18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-11-2025 Heard the parties.

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

(i) To issue an appropriate writ/order/direction in the nature of certiorari to quash the memo no. 225 dated 10.03.2018 contained in Annexure-3 issued by Respondent no. 2 in the name of the petitioner with two others Rajendra Singh and Mahanth Singh declaring plot nos. 580,581, 582 as Garmazarua khas land sent for Samudayik construction Bhawan-cum of work shed and possession over which was declared illegal and directing the petitioner and two others to reply on 14.03.2018.

(ii) To command the respondents to be restrained from causing any kind of hinderance/ obstacles in peaceful possession



of the petitioner in plot nos.581 and 582 having right, title, interest and possession over the same since more than 50 years paying rent to the Government of Bihar getting rent receipt there from and further to be restrained from making any construction over the same illegally ousting the petitioner from his rightful possession over the same.

(iii) Aforesaid office order of the in Respondent no.2 contained Annexure-3 be declared as highly arbitrary, illegal and an act played as a dirty gimmick only to defeat the genuine and legal right interest and possession title, of the petitioner over plot nos. 581 and 582 and accordingly the same order contained in memo no. 225 dated 10.03.2018 be set aside.

(iv) Erring respondent be sternly dealt with for their misdeed, misdemeanour and defying act done on extraneous consideration.

(v) To allow any other relief, or reliefs to which the petitioner is found entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the notice was issued on 10.03.2018, they have already replied on 14.03.2018 but the same has not been taken to its logical conclusion, as a result whereof, democles sword is hanging on



their head.

4. As usual, the State has failed to file any counter affidavit.

5. Instead of keeping the same pending and imposing cost upon the respondents, it would be appropriate that the Circle Officer, Ujiyarpur, Samastipur is directed to take the matter to its logical conclusion inasmuch as after the notice issued on 10.03.2018 and reply filed promptly four days later on 14.03.2018, the stand of the petitioner is/are that no further step has been taken.

6. Needless to add, before passing any order, the petitioner has to be heard, any document to be relied upon has to be handed over to them so that they can reply to it before a final order is passed.

7. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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