

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.24356 of 2018**

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Vijay Poddar, Son of Late Dileshwar Poddar, Resident of Saharsa Nagar Parishad, Mohalla- Gautam Nagar, Ward No. 11, Police Station- Town Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector, Saharsa.
3. The Additional Collector, Saharsa.
4. The District Land Acquisition Officer, Saharsa.
5. The Deputy Collector Land Reform, Saharsa.
6. The Circle Officer, Saharsa.
7. The Executive Officer, Nagar Parishad, Saharsa.

... .. Respondent/s

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**Appearance :**

|                      |   |                                                                                                         |
|----------------------|---|---------------------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Surendra Kishore Thakur, Advocate<br>Mr. Aditya Kr. Pandey, Advocate<br>Ms. Priyam Kumari, Advocate |
| For the Respondent/s | : | Mr. Raj Kishore Roy, GP-18<br>Mr. Sanjeev Kumar, Advocate                                               |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      25-11-2025                      Heard Mr. Surendra Kishore Thakur, learned counsel  
for the petitioner and the State.

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

*“(i) for issuance of writ in the nature of  
mandamus commanding and directing the  
Respondents authority to demarcate the land of the  
petitioner mentioned in paragraph no. 4 of this  
writ application.*



*(ii) For further direction to the Respondents authority not to hold Mela upon the private land of the petitioner as the land in question is raiyati land of the petitioner has not been acquired nor any compensation has been paid and is in exclusive possession of the petitioner whose mother has purchased the land by a registered Sale Deed and presently Jamabandi is standing in the name of the petitioner and paying rent to the State of Bihar.*

*(iii) For further direction to the Respondents authority not to utilize the land of the petitioner in any manner and further not to interfere in peaceful possession of the petitioner over the land in question as the land in question till now has not been acquired and Jamabandi is still standing in the name of the petitioner.*

*(iv) And for any other relief/reliefs for which the petitioner is found to be entitled in the eyes of law.”*

3. The writ petition was filed in the year 2018 and today, on call, it is found that the affidavit on behalf of the



respondent nos. 2 to 6 is/are missing.

4. This Court has two options either to dispose it of or adjourn the same after imposing cost on the respondents for not filing the affidavit for seven long years.

5. Learned counsel for the petitioner submits that it will suffice if he is allowed to file proper petition alongwith supporting documents before the respondent no. 2, the Collector, Saharsa.

6. State has no objection to it.

7. In that background, the writ petition stands disposed of allowing the petitioner to approach the Collector, Saharsa (respondent no. 2) alongwith all the supporting documents who shall be taking up the matter and after hearing the parties/noticing them, shall be taking the matter to its logical conclusion at an earliest.

**(Rajiv Roy, J)**

Adnan/-

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