

Fulchand Mistri @ Fulchand Sharma Son of Late Banarsi Mistri, Resient of Village- Parbatta, P.O.- Sahu Parbatta, P.S.- Ismailpur, District- Bhagalpur.

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
3. The Additional Secretary, Department of Home, Government of Bihar, Patna.
4. The Collector cum District Magistrate, Bhagalpur.
5. The District Land Settlement Officer, Bhagalpur.
6. The Land Reforms Deputy Collector, Naugachia, Bhagalpur.
7. The Sub-Divisional Officer, Naugachia, Bhagalpur.
8. The Block Development Officer, Ismailepur, Bhagalpur.
9. The Circle Officer, Ismailepur, Bhagalpur.

... .. Respondent/s

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Advocate
For the Respondent/s : Mr. M.N.H. Khan, SC-1
Ms. Babita Kumari, AC to SC-1

2 27-02-2025 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. The present writ petition has been filed by the petitioner for issuance of writ in the nature of mandamus directing the respondent District Land Settlement Officer, Bhagalpur, to correct the current Revisional Survey *Khatiyan* of the petitioner.

3. Learned Counsel for the petitioner submits that



other petitioners have moved before this Hon'ble Court with exactly similar relief in which vide order dated 03.01.2025 passed in CWJC No.19206 of 2024 (Uttam Mandal and Others Vs. The State of Bihar) this Hon'ble Court has pleased to pass order disposing the writ petition with liberty to the petitioners to represent their grievances before the competent authority within six weeks from the date of receipt/production of a copy of this order. It has been further directed that if petitioners further represent their grievances within stipulated period the concerned authority shall consider and dispose off the grievances of the petitioners within a reasonable period of time. Counsel submits that the petitioner also wants similar observation and maintaining the parity the order may be passed in favour of the petitioner also.

4. Learned Counsel for the State submits that petitioner's representation is already pending. Therefore, order may be passed.

5. Upon hearing the parties, this Court hereby surprised hearing the arguments at bar (petitioner and State) that they are seeking direction from this Court for interference in the Revisional Survey Records of Right. It transpires to this Court that question of correction in the Revisional Survey Records of



Right has been guided according to Sections 106 to 108 of the B.T. Act 1885 and the question of correction has been made in Bhagalpur District with effect from 1965, which is very much clear in Bihar Special Survey and Settlement Act, 2011 (Act No.24 of 2011). It also transpires to this Court that Bihar Special Survey and Settlement Act, 2011 has been framed with a view to remove difficulties as mentioned in Section 27 of Act No.24 of 2011.

6. It is made clear that Section 9 of the Bihar Special Survey and Settlement Act, 2011 indicates the provision relating to inviting objections to the Khanapuri Records of Right. Both Counsel for the petitioner and Counsel for the State are not in a position to assist this Court that whether final publication of records of right under Section 11 of the Bihar Special Survey and Settlement Act, 2011 has been completed in the said area where the petitioner's land is situated.

7. Therefore, in the light of Bihar Special Survey and Settlement Act, 2011, this Court hereby dispose off the present writ petition granting liberty to the petitioner to file objection under Section 9 of the Act before the Assistant Settlement Officer/Circle Officer along with a copy of this order within 30 days from today and the Assistant Settlement Officer/Circle



Officer shall take a decision on the representation filed by the petitioner for the objections raised by him within 90 days thereafter hearing all concerned.

(Dr. Anshuman, J)

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