

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18915 of 2016

Prasadi Tanti Son of Late Pradeep Tanti Resident of Village - Meha, Maishaha
- Tola, P.S. - Balia, District - Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr
2. Circle Officer, Balia - Block , Balia. District - Begusarai Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Sinha, Advocate
For the Respondent/s : Mr. Raj Kishore Roy-Gp18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present petition has been preferred for
following reliefs:

*“(A) For issuance of a appropriate
Writ/Writs for quashing the order dated
7.9.2013 passed by the learned Collector,
Begusarai (Respondent No.1) in
connection with the Miscellaneous
Revenue (Basgit-Parcha) Case No.107 of
2003 to the extent of cancellation of
"Basgit-Parcha" as earlier issued by the
Respondent No.2 in favour of Ramji
Paswan, Sita Ram Paswan and Narayan
Paswan.*

*(B) For commanding and directing the
respondents to take appropriate steps for
settlement of the land bearing a total*



area 6 decimal 9 dhur situated at Mauza-Meha, Sub Division- Balia, District-Begusarai, Tauzi No.961, Thana No.280, Khata No.260, Khesra No.1582 in favour of the petitioner and his four sons namely 1. Ram Lakhan Tanti, 2. Hargovind Tanti, 3. Shambhu Tanti, & 4. Rupnarayan Tanti by deleting the names of Ramji from the Paswan, Sita Ram Paswan and Narayan Paswan "Basgit-Parcha" which has been earlier issued by the Respondent No.2 over the aforesaid plot vide the Basgit-Parcha Case No.12/99-2000.

(C) For granting any other relief/reliefs for which the petitioner is entitled to under the present facts and circumstances of the case."

3. The case of the petitioner is that he is a landless person, only ground that has been taken by the Collector, Begusarai is that his sons are Parcha holders. The submission is that in absence of shelter being granted by any of his sons, he is forced to stay in a nearby temple.

4. A counter affidavit has come on behalf of the respondents no.1 and 2 duly signed by the Circle Officer, Ballia, Begusarai in which the same stand has been taken that the sons of the petitioner are Parcha holders and as such, the claim was



rejected.

5. Though, learned counsel for the State tried to support the stand of the Collector, Begusarai, in the opinion of the Court, if the petitioner is a landless person and though the sons are Parcha holders, if they are not maintaining him, naturally his case should be considered after seeking a report from the ground level officials on his present status. Under no circumstances and in a blanket manner, the claim can be negated, particularly, in a welfare state and the Collector of the District should be sensitive to the said fact. Further, there is nothing on record to show that if the sons are having 'Parcha' in their favour, the father is not entitled to another 'Parcha' and/or the petitioner is happily residing with his sons. In short, in absence of any such report, certainly, the Collector, Begusarai erred in passing the order in question.

6. Accordingly, this Court sets aside the order dated 07.09.2013 passed by the Collector, Begusarai in Miscellaneous Revenue (Basgit-Parcha) Case No. 107 of 2003 (Prasadi Tanti vs. State).

7. The petitioner shall be preferring a petition in next four weeks along with copy of the order before the Collector, Begusarai, who shall be taking up the matter after seeking report



and hearing the parties, shall pass an appropriate order preferably by 31.01.2026.

8. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

anand/-

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