

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4485 of 2025

Sanjay Yadav Son of Lakhan Mahto, Resident of Village- Pachrukhi
Aajimchak, P.S. Akbarpur, District- Nawada, Bihar- 805126.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Additional Secretary-cum-Principal Secretary, Department of Home, Government of Bihar, Patna.
4. The Director General of Police, Government of Bihar, Patna.
5. The Commissioner, Magadh Division, Gaya.
6. The District Magistrate, District- Nawada.
7. The Superintendent of Police, District- Nawada.
8. The Sub-Divisional Officer, Rajauli, District- Nawada.
9. The Circle Officer, Akbarpur Block, District- Nawada.
10. The S.H.O., Akbarpur Police Station, District- Nawada.
11. Bhim Tiwari, Son of Parmeshwar Tiwari, Resident of Village- Pachrukhi, P.S. Akbarpur, District Nawada.
12. Anil Tiwari, Son of Parmeshwar Tiwari, Resident of Village- Pachrukhi, P.S. Akbarpur, District Nawada.
13. Jhari Tiwari, Son of Bhagwat Tiwari, Resident of Village- Pachrukhi, P.S. Akbarpur, District Nawada.
14. Dheeraj Tiwari, Son of Anil Tiwari, Resident of Village- Pachrukhi, P.S. Akbarpur, District Nawada.
15. Anirudh Tiwari, Son of Jhari Tiwari, Resident of Village- Pachrukhi, P.S. Akbarpur, District Nawada.
16. Kumar Tiwari, Son of Malik Tiwari, Resident of Village- Pachrukhi, P.S. Akbarpur, District Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shahabuddin Azeem @ S. Azeem, Advocate
For the Respondent/s : Mr. AC to SC-25

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 15-04-2025 1. Heard learned counsel for the petitioner and learned
AC to SC-25 for the State.
2. Learned counsel appearing on behalf of the petitioner



submits that the petitioner purchased land having an area of 2 decimals (residential) and 31.50 decimals (agricultural) under Thana No. 258, Khata No. 121, Khesra No. 1229 and 1452, Block Akbarpur, District Nawada vide sale deed no. 5871 dated 20.07.2022 from Md. Khalil. It is further submitted that after purchasing the land, the petitioner got the same mutated vide order dated 23.02.2023 in Mutation Case No. 2242/2022-23 (Annexure-2), thereafter the petitioner came in possession over his purchased land. It is next submitted that petitioner in April, 2023 made a request to the Circle Officer, Akbarpur to measure his purchased land, accordingly, Measurement Case No. 25/2023-2024 was instituted on 24.04.2023 (Annexure-3). The Circle Officer vide his order dated 02.05.2023 (Annexure-4) directed the Government Amin to measure the land. The Government Amin came to measure the land but was not allowed to measure the land by the private respondents as would manifest from the report of the Anchal Amin dated 26.05.2023 (Annexure-5). It is also submitted that the Circle Officer vide his letter dated 27.08.2024 (Annexure-6) directed the SHO, Akbarpur Police Station to provide force for measurement of the land of the petitioner but the land could not be measured on account of objection raised by some villagers and the next date fixed was 03.09.2024. The petitioner made a complaint against the private respondents that they intended to grab his land



and threatened and also have licenced as well as illegal arms but then no FIR was instituted by Akbarpur Police Station.

3. The petitioner thereafter filed an application before the SDO, Rajauli who initiated a proceeding under Section 144 of the Cr.P.C. and noticed the opposite parties therein (private respondents herein) and passed an order dated 20.02.2024 (Annexure-A-8) in favour of the petitioner, thereafter the petitioner again filed an application for measuring the land but the same till date has not been measured. It is further submitted that petitioner even represented before the Collector, Nawada on 05.10.2024 (Annexure-10) bringing to his notice that private respondents are not allowing the Amin to measure the land but then no action till date has been taken.

4. Learned counsel appearing on behalf of the State submits that from the pleadings made in the writ application, it manifests that petitioner has purchased the land in dispute from one Md. Khalil by a registered sale deed and thereafter he also got the land mutated. Further, since the possession of the petitioner is being disturbed by the private respondents, as such, he had applied for getting the land measured in pursuance whereof Measurement Case No. 25/2023-2024 was instituted but the Amin was not permitted to measure the land on account of disturbance created by the private respondents and the villager for which a proceeding



under Section 144 Cr.P.C. was also initiated which was decided in favour of the petitioner and thereafter again petitioner requested the Circle Officer to measure his land and when the same was not done a representation was given to the Collector, Nawada.

5. Learned State Counsel further submits that the writ application can be disposed of with a direction to the Circle Officer to conclude the Measurement Case No. 25/2023-2024 within a time frame in accordance with law.

6. Learned counsel appearing on behalf of the petitioner does not have any objection to the said submission made by the learned counsel appearing on behalf of the State.

7. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the Circle Officer, Akbarpur to conclude the proceeding of Measurement Case No. 25/2023-2024 within a period of two months from the date of receipt/production of a copy of this order, if the proceeding already has not been concluded, in accordance with law.

(Satyavrat Verma, J)

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