

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5644 of 2025

Geeta Devi wife of Upendra Prasad, Resident of Village-Haspura, P.S.-
Haspura, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
3. The Divisional Commissioner Magadh Division, Gaya.
4. The District Magistrate, Aurangabad (Bihar).
5. The Sub Divisional Officer, Daudnagar, Aurangabad.
6. The Circle Officer, Daudnagar, Aurangabad.
7. Sri Rabindra Singh, S/o Late Radhe Shyam Singh, resident of Village-Ecauni, P.O.-Ecauni, P.S.-Daudnagar, District-Aurangabad (Bihar).
8. Sri Narendra Kumar, S/o Late Janeshwar Singh, resident of Village-Ecauni, P.O.-Ecauni, P.S.-Daudnagar, District-Aurangabad (Bihar).
9. Sri Shashi Singh, S/o Sri Nand Kumar Singh, resident of Village-Ecauni, P.O.-Ecauni, P.S.-Daudnagar, District-Aurangabad (Bihar).
10. Sri Bache Singh, S/o Late Chandra Deep Mahto, resident of Village-Ecauni, P.O.-Ecauni, P.S.-Daudnagar, District-Aurangabad (Bihar).
11. Sri Jitendra Singh, son of Late Bigan Singh, resident of Village-Ecauni, P.O.-Ecauni, P.S.-Daudnagar, District-Aurangabad (Bihar).
12. Sri Sikandar Mahto, S/o Late Lakhan Singh, resident of Village-Ecauni, P.O.-Ecauni, P.S.-Daudnagar, District-Aurangabad (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Advocate
For the Respondent/s : Mr. Government Advocate (10)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-04-2025 In the instant petition, petitioner seeks following
relief(s):-

*(I). For direction be issued
to the respondents no. 03 Divisional
Commissioner Magadh Division
Gaya and Respondent No. 04 the*



District Magistrate, Aurangabad to take action against the respondent no. 7 to 12 for creating hurdle in smooth possession of the mother of serving soldier Geeta Devi, M/o Sepoy Prince Kumar over the land bearing khata no. 109, Khesra No. 236, Area 09 Decimal situated at Mauza- Ekauni, P.S.-Daudnagar, Circle-Daudnagar, District-Aurangabad (Bihar).

(II). For any other relief or reliefs as your lordships may deem fit and proper in the facts circumstances of the case.

2. Learned counsel for the petitioner submits that the land appertaining to khata no. 109, Khesra No. 236, Area 09 Decimal situated at Mauza- Ekauni, P.S.-Daudnagar, Circle-Daudnagar, District- Aurangabad (Bihar) was purchased by the petitioner on 25.01.1991 through registered sale deed from one Siya Ram Pandey who was also the bona fide owner of the land in question. He has submitted through Para 5 and 6 of the instant petition that petitioner has come to the shoes of the previous owner and he is bona fide owner of the land in question. He further submits that Respondent Nos. 7 to 12 are disturbing the peaceful possession of the petitioner over the land in question. He further submits that petitioner has represented before the respondent no. 4/ District



Magistrate, Aurangabad as well as respondent no. 3/ the Divisional Commissioner, Magadh Division, Gaya for redressal of his grievance but no action has been taken.

3. Learned counsel for the respondents submits that there is no specific statutory duty lies upon Respondent No. 3 and 4.

4. Be that as it may, for seeking writ of mandamus, there must be a demand before the competent authority. At the same time, duty is cast on the concerned public authority. The first ingredient of demand before the competent authority is not forthcoming. Accordingly, the present writ petition stands disposed of as not maintainable.

5. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the present writ petition stands disposed of with liberty to petitioner to file fresh representation before the appropriate forum/competent authority within a period of four weeks from the date of receipt of this order. If petitioner raises his grievance before the appropriate forum/competent authority by filing fresh representation within the stipulated period of four weeks, the concerned authority shall pass appropriate order on the representation of the petitioner in accordance



with law after giving due opportunity of hearing to the
petitioner within a reasonable period of time.

(Alok Kumar Pandey, J)

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