

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5772 of 2025

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Chaudhary Baitha Son of Late Rameshwar Baitha Resident of Village- Harpur
Mukund, P.O.- Jafarpati, Police Station- Rajapakar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land and Reforms, Government of Bihar, Patna.
2. The District Magistrate, Vaishali at Hajipur.
3. The Deputy Collector Land Reforms, Mahua, Vaishali.
4. The Sub Divisional Magistrate, Mahua, Vaishali.
5. The Circle Officer, Rajapakar Block, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Respondent/s : Mr. J.K. Roy No.-1 SC-13
Mr. B.B Pd AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-04-2025 In the instant petition, petitioner has prayed for the

following relief:-

(A) For issuance of an appropriate writ directing and commanding the respondents to comply the order dated 20.01.2025 containing Memo No. 46 passed by the Sub Divisional Magistrate, Mahua, Vaishali in compliance of the order dated 23.08.2023 passed by the Learned D.C.L.R. Mahua in Bihar Land Dispute Reform Act Case No. 72 of 2022-23 vide Memo No. 146 (Judicial) whereby fixed dated 29.01.2025 at 11.00 A.M. for giving possession of the land of petitioner and also appointed Circle Officer and Revenue Officer as Magistrate also requested to the S.P. to provide police force.



(B) Any order relief/reliefs that the petitioner may found to be entitled to in the facts and circumstance of the present case.

2. Learned counsel for the petitioner has submitted that land appertaining to Khata No.155, Plot No. 651, Thana No. 262, area 1 kattha 5 dhur situated in Harpur Mauza within Rajapakar Block of District-Vaishali, as described in para 4 of the writ petition, is the purchased land of the petitioner in the name of his father. He further submits that DCLR passed order on 23.08.2023 for giving possession of land in question to the petitioner. Petitioner has also referred to the order dated 20.01.2025(annexure P/5) passed by the Sub-Divisional Magistrate, Mahua where order has been made for giving the peaceful possession of the land but same has not been complied till today. Further, petitioner has represented his grievance by filing representation dated 03.02.2025, as contained in Annexure-P/6, for compliance of the order dated 20.01.2025 contained in memo No. 46 passed by the Sub Divisional Magistrate, Mahua for compliance of the order dated 23.08.2023 but the said order has also not been complied. Hence, the present writ petition.

3.Learned counsel on behalf of the State has submitted that learned counsel for the petitioner has not pointed out as to



whether he has filed any execution petition for the implementation of order passed by DCLR Mahua, Vaishali. He further submits that from the representation of the petitioner, it appears that he has not filed any petition for execution of the order passed by the Sub-Divisional Magistrate, Mahua.

4. 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 file appropriate petition before competent authority within a period of four weeks from the date of receipt of this order. If such petition is filed within the stipulated period, the concerned authority shall pass appropriate order in accordance with law, expeditiously, preferably within a period of three months from the date of filing of the petition by the petitioner, after giving due opportunity of hearing to the petitioner.

(Alok Kumar Pandey, J)

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