

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6641 of 2025

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Pralayakar Roy @ Pralyankar Ray @ Vijay Rai S/o Late Damodar Rai R/o
Village- Simaria P.S. Chakia and Dist-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Collector-Cum-District Magistrate, Begusarai, District-Begusarai.
4. The Addl. Collector, Begusarai, District-Begusarai.
5. The District Collector Land Reforms, Begusarai, District-Begusarai.
6. The Circle Officer, Barauni, Block Barauni, District-Begusarai.
7. The Block Development Officer, Begusarai, District-Begusarai.
8. The Secretary, Gram Panchayat Raj Simaria, Village-Simaria, Block Barauni, District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar
For the Respondent/s : Government Pleader (03)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-06-2025 1. Heard learned counsel for the petitioner and
learned GP-3 for the State.

2. The learned counsel for the petitioner submits
that the land in dispute in the instant writ application pertains
to Khata No. 458, Khesra No. 3655, Area 14 Katha, at Mauza
Simaria District- Begusarai.

3. The learned counsel for the petitioner next
submits that the elder brother of the petitioner namely Udai



Ray purchased the aforesaid 14 Katha of land vide registered Sale Deed dated 11.05.1966 from Sita Ram Kunwar, thereafter the elder brother of the petitioner filed Mutation Case No. 235 of 1967-68 before the Circle Officer, Barauni, Begusarai for getting the land mutated in his name. The Mutation Case No. 235 of 1967-68 was allowed and Jamabandi No. 174 was created in the name of elder brother of the petitioner thereafter rent receipt was issued and the rent is being paid continuously since 1966 till date.

4. It is submitted that the elder brother of the petitioner, Udai Ray, died in the year 2013 and thereafter petitioner became the *Karta* of the family, as such, he has filed the instant writ application when the authorities without acquiring the purchased land of his elder brother started construction of Panchayat Sarkar Bhawan.

5. It is submitted that in the event if the authorities require the land for construction of Panchayat Sarkar Bhawan in that event the petitioner and his family members should be compensated adequately, but without acquiring the land, the authorities cannot proceed with the construction of Panchayat Sarkar Bhawan. It is also submitted that petitioner had represented before the Circle Officer, Barauni, Begusarai by



his representation sent by registered post dated 28.01.2025, but then no action was taken.

6. At this stage, the learned counsel appearing on behalf of the State submits that from perusal of the pleadings made in the writ application, it would manifest that it has been specifically pleaded at Para-8 of the writ application that petitioner was made aware by the local villagers that the land in dispute in the instant writ application in survey khatian at Mauza-Simaria, Thana No. 500, Khata No. 458, Khesra No. 3655, Tauzi No. 8826 measuring 14 Katha is recorded as *Gair Mazarua Malik*, on which the learned counsel appearing on behalf of the petitioner submits that it is not an admission of the petitioner, rather what has been pleaded is that he was informed by local villagers.

7. The learned State counsel, at this stage, submits that petitioner has sent a representation by registered post to the Circle Officer, Barauni, Begusarai when he ought to have represented before the District Magistrate, Begusarai bringing to his notice the grievance which he has raised in the instant writ application before approaching this Court by filing the instant writ application.

8. The learned counsel for the petitioner submits



that petitioner will file a fresh representation before the Collector, Begusarai on or before 03.07.2025 with all the relevant documents.

9. After hearing the learned counsel for the parties and without going into the merits of the case, **the writ application is disposed of** with a liberty to the petitioner to file a representation before the Collector, Begusarai raising his grievance as raised in the instant writ application with all the relevant documents on or before 03.07.2025, in the event if any representation is filed by the petitioner on or before 03.07.2025, the Collector, Begusarai shall consider and dispose of the same within a period of three months in accordance with law, after giving proper opportunity of hearing to the petitioner.

10. It is made clear that in the event if no representation is filed by the petitioner before the Collector, Begusarai on or before 03.7.2025 in that event the Collector, Begusarai shall not be obliged to consider the representation of the petitioner within the time stipulated, but if any representation is filed on or before 03.07.2025 in that event the construction of Panchayat Sarkar Bhawan, on the land in dispute, shall remain in abeyance until the representation of



the petitioner is decided by the Collector, Begusarai.

(Satyavrat Verma, J)

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