

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6025 of 2023

Shivendra Prasad Saha, Son of Late Tilakdhari Sah, Resident of Sarvodaya
Nagar, Bhatha Bazar, P.S. K. Hat, District Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Additional Chief Secretary, Department of Revenue and land Reforms,
Government of Bihar, Old Secretariat, Patna-I.
3. Collector, Purnea.
4. Deputy Collector, Land Reforms, Sadar, Purnea.
5. Circle Officer, Purnea East.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amardeep- Advocate
For the Respondent/s : Mr. Raj Kishore Roy (GP- 18)
Mr. Viveka Nand Singh- AC to GP-18

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 28-07-2025 1. Heard learned counsel for the petitioner and
learned AC to GP-18 for the State.

2. The learned counsel for the petitioner submits that
the instant writ application has been filed seeking quashing of
the order dated 06.02.2023 passed by the DCLR, Sadar Purnea
(Respondent No.4) whereby the prayer of the petitioner for
fixing rent of Plot No.642, Khata No.809, area 04 decimal, 725
Kari situated at village Madhopara, Ward No.6/17 has been
rejected.

3. The learned counsel for the petitioner submits that
the petitioner had purchased the land in dispute from Jagat



Maya Devi in whose favour Title Suit No.70 of 2004 with respect to the land in dispute was decided. The learned counsel for the petitioner submits that when vendor of the petitioner was having title in her favour by virtue of judgment and decree in Title Suit No.70 of 2004, whether DCLR could have refused to fix the rent of the land in dispute on the ground that in pursuance of the judgment in Title Suit No.70 of 2004 dated 18.09.2009, the correction was not made in the records of right under Section 108(K) of the B. T. Act.

4. The learned counsel appearing on behalf of the State submits that no doubt, the issue raised by the petitioner requires consideration, but then, petitioner has alternative remedy to move against the order of the DCLR before the Additional Collector.

5. At this stage, the learned counsel for the petitioner seeks permission to withdraw the writ application with liberty to assail the order impugned in the instant writ application before the Additional Collector, Purnea.

6. Permission is accorded.

7. Accordingly, instant writ petition is dismissed as withdrawn with the liberty aforesaid.

8. It is made clear that if any appeal is filed by the



petitioner against the order impugned in the instant writ application and issue of limitation arises, in that event, the authority competent shall keep in mind that the petitioner was pursuing his remedy before this Court since April, 2023.

(Satyavrat Verma, J)

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