

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6781 of 2025

Md. Faiyaj @ Faiyaz Alam Ansari Son of Late Haji Rahul Amin, Resident of Village-Laruara, Ward No. 4, P.S.-Singhaul, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
3. The Principal Secretary Panchayati Raj, Government of Bihar, Patna.
4. The Divisional Commissioner, Patna Division, District-Patna.
5. The Collector cum District Magistrate Begusarai, District-Begusarai.
6. The Additional Collector, Begusarai, District-Begusarai.
7. The Deputy Collector Land Reforms (DCLR) Begusarai, District-Begusarai.
8. The District Panchayati Raj Officer Begusarai, District-Begusarai.
9. The Block Development Officer Begusarai, District-Begusarai.
10. The Circle Officer Begusarai, District-Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate
For the Respondent/s : Mr. Ravi Kumar, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned
AC to GP-13 for the State.

2. Learned counsel for the petitioner submits that the land in dispute in the instant writ application pertains to Thana No. 359, Tauzi No. 4323, Khata No. 92, Khesra No. 590, Area 9 Katha and 7 Dhur at Mauza-Laruara. It is submitted that the land in dispute is ancestral land of the petitioner. It is next submitted that after vesting of Zamindari an application was filed by the grandfather of the petitioner, based on which Case



No. 85 of 1958-59 (Annexure-P/2) was instituted for fixing rent of the land. The case was allowed by an order dated 30.10.1958 (Annexure-P/3) and the rent was fixed. Learned counsel submits that Panchayat Sarkar Bhawan is been constructed over the land in dispute without acquiring the same. It is next submitted that right to property is not a fundamental right but this is a constitutional right and the same can be taken away only in accordance with the procedure established by law. It is next submitted that Zamabandi No. 80 and thereafter 141 was created with respect to the land in dispute and the Zamabandi till date is standing in the name of the Idris Mia, the grand uncle of the petitioner. It is next submitted that Zamabandi till date has not been cancelled as such the Panchayat Sarkar Bhawan could not be constructed on the land in dispute without acquiring the same. Learned counsel for the petitioner next submits that petitioner has been running from pillar to post but no authority is wiling to listen to him. Learned counsel for the petitioner further submits that the petitioner even represented before the Circle Officer and District Magistrate by his representation dated 20.03.2025 and 29.03.2025 (Annexure-P/7 and Annexure-P/8 respectively) but till date no action has been taken.

3. Learned AC to GP-13 for the State seeks time for



filing counter affidavit. The Court is not inclined to grant time to the State for filing counter affidavit.

4. After hearing the learned counsel for the parties, the writ application is disposed of with the liberty to the petitioner to file a detailed representation before the Collector annexing all the relevant documents relating to the land signifying his title and possession on or before 27.05.2025. In the event, if any application is filed by the petitioner on or before 27.05.2025 before the Collector, in that event the Collector shall dispose of the representation after giving an opportunity of hearing to the petitioner within a period of two months thereafter in accordance with law.

5. It is made clear that till representation of the petitioner is not disposed of by the Collector till then status quo as existing as of date shall be maintained. It is further made clear that if no representation is filed by the petitioner on or before 27.05.2025 in that event the order of status quo shall automatically stand vacated.

(Satyavrat Verma, J)

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