

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7490 of 2020

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Santoshi Devi, W/o Prabhu Narayan Singh, Resident of Village- Adhaura,
P.S.- Adhaura, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar Through Commissioner-cum- Secretary, Department of Revenue, Government of Bihar, Patna.
2. The Collector- cum- District Magistrate Kaimur (Bhabhua).
3. The Sub- Divisional Magistrate Bhabhua, District- Kaimur (Bhabhua).
4. The Deputy Collector Land Reform, (DCLR) Bhabhua, District- Kaimur (Bhabhua).
5. The Circle Officer Adhaura, P.S.- Adhaura, District- Kaimur (Bhabhua).
6. Deopati Singh S/o Harsu Singh Resident of Village- Adhaura, P.S.- Adhaura, District- Kaimur (Bhabhua).

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

15 10-11-2025 No one is present on behalf of the petitioner while

Mr. Atul Shankar, learned counsel appearing for the State-

respondents is present and he is heard.

2. The instant case has been filed under Article 226 of

the Constitution of India by the petitioner seeking the following

relief(s):

*"1. TThat, this is an application for quashing of
the order dated 11.04.2019 passed by
Respondent No. 2 in Misc (Cancellation of
Bandobasti) Case No. 103/2016-17 and
consequential letter issued dated 15.04.2020 by
C.O. office, on the basis of order passed by the*



Learned Collector - cum District Magistrate, Kaimur (Bhabhua) (Respondent no.-2) by which the Learned Collector has been pleased to allow the application filed by respondent no.-6, Deopati Singh and cancelled the settlement of the land made in favour of the petitioner along with some others upon incorrect, and illegal grounds without application of Quasi Judicial mind which is arbitrary one."

3. The main grievance raised by the petitioner in this writ application is the cancellation of the settlement of the land that had earlier been made in her favour by then Circle Officer. during the course of argument, it was stated by the learned counsel appearing for the State-respondents that the said settlement was wrongly made in favour of the petitioner as at the time of settlement she did not fall within the purview of the privileged person as defined under Bihar Privileged Persons Homestead Tenancy Act, 1947 and in this regard, a detailed counter affidavit has been filed and the said settlement was made on the basis of a misconceived report submitted by Rajaswa Karamchari and the Circle Officer, Adhaura relying on the said report, the recommendation was made by the Circle Officer, Adhaura to Deputy Collector, Bhabhua who in turn recommended the same to the S.D.O. Bhabhua and accordingly the settlement case was allowed and *Parwana* was issued but



thereafter it came in the light that petitioner's family members owned 2 acres and about 38 and half decimals of land and further petitioner's husband was employed as part time contract worker and these facts clearly show that the petitioner did not come in the purview of privileged persons at the time when the settlement was made.

4. Considering the aforesaid submissions and having gone through the averments made in the counter affidavit by the State-respondents, this court finds no merit in this application, so, it stands dismissed.

(Shailendra Singh, J)

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