

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6980 of 2025

Shiv Shankar Prasad Singh @ Shiv Shankar Rai @ Shiv Shankar Roy @ Shiv Shankar Singh @ Kari Singh Son of Late Pramod Roy, Resident of Village- Narayan Pipar, Police Station- Cheriya Bariarpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Begusarai.
3. The Sub Divisional Magistrate, Manjhaul, Begusarai.
4. The Circle Officer, Chaurahi, Begusarai.
5. The District Programme Officer, Begusarai.
6. The Child Development Project Officer, Chhaurahi, Begusarai.
7. The Block Development Officer, Chhaurahi, Begusarai.
8. The Anchal Amin, Chhaurahi, Begusarai.
9. The Revenue Clerk, Chhaurahi Block, Chhaurahi, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advcate
For the Respondent/s : Mr. AC to GP-18

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned
AC to GP-18 for the State.

2. Learned counsel for the petitioner submits that the instant writ application has been filed for setting aside the Letter no. 755 dated 29.07.2024 issued by the Circle Officer, Chhaurahi whereby 15 dhur of raiyati land of the petitioner pertaining to Thana No. 117, Khata No. 365, Plot No. 446 Area 15 Dhur, Mauza- Narayan Pipara, has been earmarked for construction of Aanganwari Kendra.



3. It is next submitted that the land in dispute was settled in favour of the ancestor of the petitioner by a Hukumnama issued by the ex-landlord, Narhan Estate, further after vesting of the Jamindari the land was recorded in the name of the ancestor of the petitioner in the revenue records of the State of Bihar and Jamabandi No.474 and 988 were opened. It is submitted that Jamabandi are still in existence still the Circle Officer has earmarked 15 dhur of land for construction of the Aanganwadi Kendra without acquiring the land. Learned counsel next submits that right to property is not a fundamental right but then is a constitutional right and the same cannot be taken away except in accordance with the procedures established by law. It is submitted that when Jamabandi is still in existence then on what basis the Circle Officer has earmarked 15 dhur of land of the disputed plot for construction of Aanganwari Kendra. It is next submitted that the petitioner represented before the authorities raising his grievance but then no action was taken as such petitioner on 03.01.2025 (Annexure-P/10) submitted a representation before the District Magistrate, Begusarai for taking necessary action in the matter but the representation of the petitioner till date has remained pending for consideration and the authorities are moving ahead



with construction of Aanganwari Kendra over the land in dispute.

4. Learned AC to GP-18 submits that the case can be disposed of with the direction to the Collector, Begusarai to dispose of the representation of the petitioner dated 03.01.2025 within a time frame in accordance with law. Learned counsel for the State further submits that there may be a possibility that the representation of the petitioner dated 03.01.2025 may not be located in the office of the District Magistrate, Begusarai as such petitioner be given liberty to file a fresh representation on which the learned counsel for the petitioner submits that the petitioner will file a detailed representation on or before 23.05.2025 before the Collector annexing all the relevant documents relating to the land to establish his title and possession over the land in question.

5. After hearing the learned counsel for the parties, the writ application is disposed of with a liberty to the petitioner to file a fresh representation before the District Magistrate, Begusarai on or before 23.05.2025 annexing all the relevant documents relating to the land, in the event if representation of the petitioner is filed on or before 23.05.2025 in that event, the Collector, Begusarai shall consider the representation of the



petitioner and dispose of the same within a period of two months thereafter after giving a opportunity of hearing to the petitioner in accordance with law. It is made clear that status quo as existing as of date shall be maintained till the representation of the petitioner is not disposed of by the Collector. It is further made clear that if no representation is filed on behalf of the petitioner on or before 23.05.2025 before the Collector, Begusarai in that event the order of status quo shall automatically get vacated.

(Satyavrat Verma, J)

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