

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10985 of 2015

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Shyam Prakash Mishra S/o Late Jageshwar Mishra resident of village -
Sirniyan, P.O. Gogri, Jamalpur, P.S. Gogri, District - Khagaria

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna
3. The District Magistrate - Cum - Collector, Khagaria
4. The Additional Collector - Cum - Additional District Magistrate, Khagaria
5. The Circle officer, Gogri, District - Khagaria
6. Umesh Das S/o Brahmdeo Das resident of village - Sirnia, Itahri, P.O. Gogri
Jamalpur, P.S. Gogri, District - Khagaria

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar Jha, Advocate Mr. Chandra Mohan Jha, Advocate Mr. Subodh Kumar Jha, Advocate
For the Respondent/s	:	Mr. Vipin Kumar Singh, AC to SC-22

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 10-11-2025 Heard Mr. Subodh Kr. Jha, learned counsel for the

petitioner and Mr. Vipin Kumar Singh representing the State.

2. The present petition has been preferred for the
following relief(s):

*“for issuance of an appropriate
writ/writs, order or orders in the nature of
mandamus for directing and commanding the
respondents to get the land of the petitioner
measured in terms of the unit If land allotted to
mother of the petitioner who is not more alive and*



being the legal and successor the petitioner is entitled to hold the possession of the said land mentioned in the official gazette dated 16.05.95 Schedule-Kh Mouza-Itahri and further for a direction upon the respondents not to disturb the physical possession over the land allotted to the petitioner against the unit through official gazette acres dated 16.05.95 measuring an area 13.02 acres and after the said measurement the case of the land as mentioned in Schedule-Kh may be taken treating the same as excess and further for a direction upon the respondent not to disturb the physical possession over the land against the khata number, khesra number as mentioned in Schedule-Kh measuring an area 13.02 acres and further for any other appropriate relief or reliefs for which the petitioner is entitled in the facts and circumstances of this case.”

3. The counter-affidavit has been filed in the year 2018, however, the same was handed over to the learned counsel for the petitioner and as such, prayer for adjournment was made.

4. Today on call, learned counsel for the petitioner



submits that he shall be satisfied if the matter goes to the respondent no. 3, Collector, Khagaria so that a proper measurement of the land takes place and final steps be taken accordingly.

5. The learned counsel representing the State has no objection to it.

6. In that background, the writ petition stands disposed of allowing the petitioner to approach the Collector, Khagaria (respondent no. 3) for the measurement of the land who shall be taking up the matter and if requisite fee is deposited, the same shall be measured, all the concerned parties noticed/heard, whereafter, the matter is to be taken to its logical conclusion by passing a reasoned order.

7. It is expected that since the matter is old one, the same shall be taken to its logical conclusion by 30.06.2026.

8. Interlocutory application, if any, also stands disposed of.

(Rajiv Roy, J)

Adnan/-

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