

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8962 of 2022

Devraj Kumar Son of Late Suresh Raut Resident of Purwi Kargahia, Ward No.2, Jagjiban Nagar, P.S.- Bettiah (Town), District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue, Government of Bihar, Patna.
3. The Collector, District- West Champaran at Bettiah.
4. The Deputy Collector, Land Reform District- West Champaran at Bettiah.
5. The Sub Divisional Officer, Bettiah, West Champaran.
6. The Circle Officer, Sadar Bettiah, District- West Champaran.
7. The Rajasw Karmchari, Bettiah Sadar, Anchal- Bettiah Sadar, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
Mr. Sumit Kumar Gupta, Adv.

For the Respondent/s : Mr. Sajid Salim Khan (SC- 25)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

6 01-08-2025 In the instant petition, the petitioner has prayed for
following relief(s):-

“A) To quash the letter No. 46 dated 24.03.2022 issued by Respondent No.5 namely Sub Divisional officer, Bettiah District- West Champaran addressed to Respondent No.6 i.e. Circle Officer Bettiah and informed that settlement of land cannot be made as Mauza Purwi Kargahia is notified as Nagar Nigam though all official by all formalities reported in favour of petitioner for settlement of the land as petitioner is harijan and landless person.

B) To hold and declare that petitioner is entitled for settlement / mutation of land in question in view of the that petitioner's father namely Suresh Raut was allotted land on 07.03.1967



in presence of Additional Commissioner, Bettiah and District Welfare Officer Bettiah of the Area 2 Katha 16 Dhur in Mauza-Kargahia Bettiah, Khata No. 44, Khesra No. 596/1, Area 8.76 Decimal.

C) For a direction to the land the respondent to mutate the land in the name of petitioner with regard to khata No. 44, Khesra No. 596, Area 2 Katha 16 Dhur.

D) For any other relief/reliefs which the petitioner found entitled in the facts and circumstances of the case.”

2. Learned counsel for the petitioner submits that land appertaining to Khata no.44, khesra no. 596, area 2 katha 16 dhur belongs to the petitioner. He further submits that by way of supplementary affidavit that in Letter no. 46 dated 24.03.2022 (Annexure-P/13) sent by the S.D.O., Bettiah Sadar to the Circle Officer, Bettiah with regard to the Settlement Record No. 01/2020-21, it is mentioned that Mauza-Purwi Kargahiya under Bettiah Circle is notified as Nagar Nigam area and the said subject matter cannot be settled and accordingly the said Settlement Record No. 01/2020-21 is said to be returned originally. He further submits that the petitioner is aggrieved by the aforesaid letter no. 46 dated 24.03.2022 (Annexure-P/13) and through Annexure-P/12 he has represented his grievance with regard to land in question before the District Magistrate, West Champaran, Bettiah. Through the said representation, petitioner has prayed to settle the land in question in the name of



the petitioner but the said petition is still pending in the office of District Magistrate and nothing has been done so far.

3. Learned counsel for the State submits that in para 15 of the counter affidavit it has been mentioned that the order passed by the Sub-divisional Officer in the settlement matter is an appealable order before the Competent Authority. Learned counsel submits that if the writ petitioner files the appeal in accordance with law, the same shall be considered by the Competent Authority. He further submits that there is no any official receipt that petitioner has filed any representation before the District Magistrate, however, if petitioner files fresh representation before the concerned authority raising his grievance, the same shall be looked into.

4. Considering the facts and circumstances of the case and the arguments advanced on behalf of the parties, the present writ petition is disposed of with liberty to the petitioner to file representation before the concerned authority for redressal of his grievance, which has been raised by the petitioner in the present writ petition, within a period of four weeks from the date of receipt of the order. If such representation is filed within the stipulated period, the concerned authority is directed to consider and dispose of the



representation of the petitioner by giving him due opportunity of hearing as per provision of law without being prejudiced by the order passed by this court expeditiously, preferably, within a period six months from the date of receipt of the order.

(Alok Kumar Pandey, J)

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