

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13968 of 2021

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Shekhar Pratap Singh S/o Sri Abhay Pratap Singh, Current Resident of Mohalla - Ashokpuram Colony, Lanka, Varanasi - 221005 (U.P.) Permanent Resident - Vill. and Post - Jaitpur Kalan, Bhagwanpur, Kaimur (Bhabua) Bihar - 821102.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Kaimur at Bhabhua.
3. The District Collector, Land Reforms, Bhabhua, Kaimur.
4. The Sub Divisional Magistrate, Bhabhua, Kaimur.
5. The Circle Officer, Bhagwanpur, Kaimur.
6. The Consolidation Officer, Rampur, Kaimur.
7. Ramakant Ram, S/o Kariman Ram, R/o Village Mokram Paschimpatti, Bhagwanpur, Kaimur (Private respondent).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha (SC19)

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 27-11-2025 The instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking the following relief(s):-

“ i. For issuance of direction/directions or order/ orders or an appropriate writ/ writs for cancellation of parcha, issue in favour of private respondent no. 7 with joint signature of Circle Officer, Deputy Collector Land Reform and Sub divisional Magistrate, Bhabhua., Kaimur without following procedure of settlement of land in question.



ii. For issuance of direction or order or an appropriate writ to the respondent to disposed of his representation with reasoned and speaking order accordance with law (Annexure-4).

iii. For issuance of direction or order or writ in the matter of mandamus for adjudicate/decide the Settlement Case No. 28/1993-94 in accordance with law and thereafter acted upon.

iv. For any other incidental and consequential relief to which the petitioner found fit under the facts and circumstances of this case.”

2. Mr. Dudh Nath Singh, learned counsel for the petitioner and Mr. Rishi Raj Sinha, learned SC-19 for the State-respondents are present and they are heard.

3. The main grievance raised by the petitioner is that the petitioner's 20 decimals of land has been allotted to private Respondent No. 7 through Settlement Case No. 28/1993-94 without giving any opportunity of hearing to the petitioner, and the petitioner had no knowledge of the same at any stage. After becoming aware of the said allotment, the petitioner approached the concerned authority several times by filing repeated applications, but no action has been taken. At present, the petitioner's last representation dated 23.07.2021, filed before the District Magistrate, Kaimur at Bhabhua (Respondent No. 2), is



still pending.

4. Learned counsel appearing for the State-respondents submits that, in view of the provisions of Section 21 of the Bihar Privileged Persons Homestead Tenancy Act, 1947, the District Magistrate/Collector is the appropriate authority to decide the petitioner's issue, before whom the petitioner's representation dated 23.07.2021 is still pending, as mentioned in the writ petition. Therefore, the Collector may be directed to dispose of the said representation in accordance with law.

5. This Court finds substance in the aforesaid submission made by learned counsel appearing for the State-respondents. Though this Court finds the issue raised by the petitioner to be premature for consideration under writ jurisdiction, however, the District Magistrate, Kaimur at Bhabhua (Respondent No. 2), is directed to dispose of the petitioner's representation dated 23.07.2021 in accordance with law within eight weeks from the date of receipt or production of a copy of this order.

6. As the said representation is an old one, if the same is not found in the office of the District Magistrate, Kaimur at Bhabhua (Respondent No. 2), the petitioner will have the



liberty to file a fresh representation within four weeks from the date of this order. Upon such filing, the Collector shall decide the same in accordance with law within eight weeks from the date of its filing.

7. Accordingly, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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