

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11004 of 2025

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Hemant Kumar Son of Deo Kumar Singh Resident of Village- Dhanawa,
P.O.- Nadawa, P.S.- Barh, District- Patna, At Present- Bikhachak Anisabad,
P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Land and Revenue Department, Bihar, Patna.
2. The District Magistrate, Patna.
3. The Deputy Collector Land Reforms (DCLR), Barh, District- Patna.
4. The Treasury Officer, Barh Treasury, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Adv. Mr. Surendra Prasad Tiwari, Adv.
For the Respondent/s	:	Mr. Jai Prabhat Kishore, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-07-2025 Heard the parties.

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

i) For issuance of appropriate writ in the nature of mandamus seeking direction to Respondents authorities for refund of amount of Rs. 1,76,000/-, alongwith statutory interest which was deposited by the Petitioner for purchase of a land parcel under Section 16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 which was not executed despite court order.

ii) For any other relief or reliefs



for which petitioner is entitled for.

3. The petitioner pursuant to a decision by the Deputy Collector Land Reforms, Barh, Patna dated 15.03.2017 in Land Ceiling Case No. 07/2015-16 deposited the amount of Rs. 1,76,000/- on 11.02.2016.

4. The submission is that in view of the amendment to Section 16(3) of the Bihar Amendment Act, 2019, as the claim of the petitioner got negated, he wanted refund of the amount (Rs. 1,76,000/-).

5. The submission is that despite representation before the Deputy Collector Land Reforms, Patna from the year 2022, he/she has not taken any decision causing financial loss to him.

6. Learned State Counsel submits that in case, the petitioner prefers a fresh representation, the same shall be taken to its logical conclusion.

7. It is unfortunate that an amount has been deposited in the year 2016, the petitioner has now resigned to the fate after the amendment as recorded above, only wants refund of the amount but the Deputy Collector Land Reforms, Barh, Patna has failed to act.

8. In that background, if the petitioner represent along with the documents/challan showing his bona fide within two weeks, the Deputy Collector Land Reforms, Barh, Patna



(respondent no. 3) is duty-bound to take the matter to its logical conclusion within a period of four weeks from the date the representation is there.

9. Needless to add, if the DCLR, Barh, Patna comes to the conclusion that the petitioner is entitled to the amount, the same shall be released within eight weeks with statutory interest from the date the representation is made to the concerned authority.

10. Failure to do so, the petitioner will be entitled to an interest of nine per cent till the actual payment is made.

11. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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