

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13864 of 2025

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Ramawatar Pandit S/o Late Tulo Pandit, Resident of Village- Rangra, Anchal-
Rangra Chowk, P.S.- Rangra Chowk, District- Bhagalpur, Bihar- 854301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Bhagalpur.
3. The Deputy Collector, Land Reforms, Naugachia, Bhagalpur.
4. The Sub-Divisional Officer, Naugachia, Bhagalpur.
5. The Circle Officer, Rangra Chowk, Bhagalpur.
6. Kapil Dev Pandit, S/o Late Raghu Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
7. Brahmdev Pandit, S/o Late Bhujangi Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
8. Gajendra Pandit @ Gajadhar Pandit, S/o Late Bhujangi Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
9. Hriday Narayan Pandit, S/o Late Santlal Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
10. Kare Lal Pandit, S/o Late Devi Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
11. Vijay Pandit, S/o Late Devi Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
12. Dilip Pandit, S/o Late Ram Kinshun Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
13. Chedi Pandit, S/o Late Suryanarayan Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
14. Umesh Pandit, S/o Late Devan Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.
15. Mangal Pandit, S/o Late Devan Pandit, Resident of Village- Rangra, P.S.- Rangra Chowk, District Bhagalpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the Respondent/s	:	Dr. Md. Raisul Haque, SC-10 Mr. Binay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER



2 01-09-2025 Heard the parties.

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

(i) for issuance of an appropriate writ, order, or direction, preferably in the nature of Mandamus, against the willful inaction of the respondent authorities in failing to comply with the binding directions issued by the Appellate Authority vide order dated 19.03.2025, passed by the Divisional Commissioner, Bhagalpur, in Appeal arising out of Land Dispute Resolution Case No. 65/2022-23, vide order dated 21.08.2023, relating to Thana No. 04, Ward No. 11, Khata No. 703, Khesra No. 3247 (area 12 decimals) and Khesra No. 3248 (area 10 decimals), total area 22 decimals, wherein the Land Reforms Deputy Collector, Naugachia, Bhagalpur, had been expressly directed to conduct a joint measurement of the disputed land through a multi-circle Amin team and to submit a measurement and



factual report, which directions remain unexecuted to date;

(ii) and further, for a direction to the respondent authorities to conduct a fresh joint measurement of the disputed land using Electronic Total Station (ETS) technology, under the supervision of a neutral Magistrate or a senior administrative officer, ensuring complete videographic documentation and strict adherence to all relevant statutory rules and procedural requirements;

(iii) and further, to quash and declare the defective survey report dated 15.01.2024 as null and void, the same having been prepared in contravention of the aforesaid binding appellate directions, which expressly mandated a joint measurement by team of multi-circle Amins with submission of a factual videographed report;

(iv) for any other relief/(s) applicable in the facts and circumstance of the case.



3. It is unfortunate that the petitioner has to knock the doors of the Patna High Court with a simple prayer, to direct the Deputy Collector, Land Reforms, Naugachia and the Circle Officer, Rangra Chowk, Bhagalpur to comply the order passed by the Divisional Commissioner, Bhagalpur in B.L.D.R. Appeal Case No. 25/2024-25 dated 19.03.2025 (Annexure-P/2 to the petition).

4. The contention is that the aforesaid appeal was preferred before the Divisional Commissioner, Bhagalpur and during the hearing, the Deputy Collector, Land Reforms, Naugachia chose not to provide the measurement report and in that background, the same was disposed of by the concerned respondent asking them to ensure measurement of the disputed land.

5. Learned State counsel submits that pursuant to the order passed by the Divisional Commissioner, Bhagalpur, no fresh petition has been filed by the petitioner.

6. Even if, no such petition has been filed, the records must have returned to the office of Deputy Collector, Land Reforms, Naugachia as also the Circle Officer, Rangra Chowk, Bhagalpur but they have failed to act.

7. However, since no fresh application is on record, it



would be appropriate that the petitioner present his case alongwith the certified copy of the order passed by the Divisional Commissioner, Bhagalpur dated 19.03.2025 in B.L.D.R. Appeal Case No. 25/2024-25 alongwith the requisite fee before the Deputy Collector, Land Reforms, Naugachia in next four weeks who shall ensure that after noticing the parties involved in the case pass, an appropriate order in next eight weeks.

8. Failure to do so, the petitioner shall be free to take up contempt proceeding against both the Deputy Collector, Land Reforms, Naugachia as also the Circle Officer, Rangra Chowk, Bhagalpur.

9. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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