

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16428 of 2025

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Santosh Kumar Pathak @ Shantosh Pathak, S/O Balmukund Pathak, Resident of Village- Rafiganj, P.S. and P.O.- Rafiganj Anchal- Rafiganj District- Aurangabad (Bihar) Pincode- 824125.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar.
3. The District Magistrate, Aurangabad.
4. The S.P. Gaya, District- Aurangabad (Bihar).
5. The Deputy Collector, Land Reforms, Aurangabad, District- Aurangabad (Bihar).
6. The C.O., Anchal- Rafiganj, District- Aurangabad (Bihar).
7. The Officer in Charge of Police, P.S.- Kasma, District- Aurangabad (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Pd. Singh, Adv. Mr. Dhananjay Mishra, Adv. Mr. Nilesh Kumar Nirala, Adv
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG-7

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-11-2025 The instant writ application has been filed under Article 226 of the Constitution of India by the petitioner seeking the following relief(s):

"(I). That this writ application is being filed for issuance of an appropriate, writ/writs, order/orders, direction/directions, to the respondent authority is that respondents number 3, 5 and 6 to measurement and demarcation of petitioner's land. Bearing Khata number 49. Plot NO. 413/501, Area-72 dismal, Thana-743, Mauza- Kasma, Anchal - Rafiganj. Boundary of the land:- N- Sanjay Singh and Dhawa



River, S- Nej and Krishna Kanu, W- Neej.

(II) For direction to the respondents number 4 and 7 to appear at the time of measurement and demarcation of the land."

2. Mr. Surendra Pd. Singh, learned counsel appearing for the petitioner and Mr. Yogendra Pd. Sinha, learned counsel appearing for the State-respondents are present and they are heard.

3. The main grievance raised by the petitioner is that his application for measurement of his land pertaining to Khata number 49. Plot No. 413/501, Area-72 dismal, Thana-743, Mauza- Kasma, Anchal - Rafiganj is not being decided by the Circle Officer Rafiganj, District- Aurangabad. It is submitted that despite filing applications in the prescribed format as well as Online and depositing the required fee, no action has been taken and in this regard Annexure- P/11 and P/12 may be perused, which clearly show that the petitioner's prayer for measurement and demarcation of his land is pending since 18.05.2025 leaving the petitioner with no option but to approach this Court.

4. Though, the issue raised by the petitioner is premature for consideration by this court under Article 226 of the Constitution of India but it is very surprising that for such a



small issue, one has to approach to the High Court under Article 226 of the Constitution of India, which results in wastage of time of the court and unnecessary expenses being incurred by the aggrieved persons, so, considering this aspect the Circle Officer, Rafiganj is directed to decide the petitioner's application for measurement and demarcation of his land within one month from the date of receipt or production of this order's copy.

5. The Collector, Aurangabad is directed to look into this matter and examine the reasons for pendency of petitioner's application since 18.05.2025 and if any negligence or malafide intention is found on the part of Circle Officer, Rafiganj, then an appropriate legal action should be taken against him.

6. Accordingly with the above directions, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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