

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16191 of 2025

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Uday Narayan Jha, Son of Vijendra Narayan Jha, resident of Village-
Ramnagar, P.O.- Rebra, P.S.- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
2. The Addl. Chief Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The Addl. Chief Secretary, Planning and Development Department, Govt. of Bihar, Patna.
4. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
5. The Collector, Samastipur, District- Samastipur.
6. The Sub Divisional Officer, Samastipur Sadar, District- Samastipur.
7. The Block Development Officer, Khanpur Block, District- Samastipur.
8. The Circle Officer, Khanpur Block, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Respondent/s : Mr. Ritesh Suman, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-11-2025 The instant writ petition has been filed by the petitioner

under Article 226 of the Constitution of India seeking the

following relief(s):-

*“(i) To quash the order dated-5-07-2025
passed by the District Magistrate/Collector, Samastipur
through which the claim of title and possession over the
land measuring 33 decimal situated in MaujaRnjitpur,
having Thana No.212, Khata no. 17(old) 381(new),
Khesra no.1304 (Old)1484(new) Circle- Khanpur, P.S.-
Khanpur, District- Samastipur has been rejected by the
District Magistrate without considering the documents*



of title and peaceful physical possession for more than 50 years of the petitioner.

(ii) To issue direction upon Respondents to deliver physical possession of land to the petitioner which has been forcibly acquired to construct Panchayat Bhawan of Khanpur Uttary Panchayat by the Respondents measuring 33 decimal situated in MaujaRanjitpur,, having Thana No.212, Khata no. 17(old) 381(new), Khesra no.1304 (Old)1484(new) Circle- Khanpur; P.S.- Khanpur; District- Samastipur as the land is a private raiyati land having absolute right, title and interest of petitioner over the said land.

(iii) To issue other order/orders/direction to the ends of justice.”

2. Mr. Raja Ram Mishra, learned counsel for the petitioner and Mr. Ritesh Suman, learned AC to SC-13 appearing for the State-Respondents are present and they are heard.

3. It is submitted by the petitioner's counsel that, upon the petitioner's land measuring 33 decimals situated in Mauja-Ranjitpur, Thana No. 212, pertaining to Khata No. 17 (Old) / 381 (New), Khesra No. 1304 (Old) / 1484 (New), Circle-Khanpur, District-Samastipur, construction of a Panchayat Bhawan has been started and the same was challenged by the petitioner by way of CWJC No. 2360 of 2025, in which the petitioner was directed to file a fresh representation before Respondent No. 5, Collector, Samastipur. The petitioner filed a fresh representation in light of that order, upon which the impugned order dated 05.07.2025 has



been passed, in which the petitioner's claim over his land has been rejected by the Collector, Samastipur, mainly considering that the land in question has been entered in the RS Khatian in the name of "Anawad Bihar Sarkar," while the said land had earlier been entered in the name of the legal heirs of the petitioner's vendor in the CS Khatian, and the same was purchased by the petitioner. All these facts were not appreciated by the Collector, Samastipur.

4. After having gone through the impugned order as well as the averments made in this petition, this Court finds that the issue raised by the petitioner concerning his so-called title to the land in question requires evidences from both sides for which the best forum is Civil Court. At this stage, this Court is not persuaded to invoke its writ jurisdiction to settle the said issue. Accordingly, the instant writ petition stands disposed of with giving liberty to the petitioner to file a civil suit before the competent Civil Court for redressal of his grievance and the time spent by the petitioner in this writ petition shall be excluded while computing the period of limitation.

(Shailendra Singh, J)

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