

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16181 of 2025

=====

Tribhuvan Singh son of Late Ramdev Singh, resident of Village-Sabalpur Behra, Dakhin Ekauna, P.S.-Udwantnagar, District-Bhojpur.

... .. Petitioner/s

Versus

1. The Principal Secretary, Department of Revenue and Land Reforms Government of Bihar, Patna.
2. The District Magistrate, Bhojpur at Ara.
3. The Sub Divisional Officer, Ara Sub Division, Bhojpur.
4. The Circle Officer, Block-Udwant Nagar, Bhojpur.
5. The Officer in Charge, Police Station-Udwant Nagar, Bhojpur.
6. Raj Keshri Devi, wife of Navlakh Kumar Singh, resident of Village-Sabalpur Behra, Dakshin Ekauna, P.S.-Udwantnagar, District-Bhojpur.
7. Saraswati Devi, wife of Girish Kumar Singh, resident of Village-Sabalpur Behra, Dakshin Ekauna, P.S.-Udwantnagar, District-Bhojpur.
8. Vidhyawati Devi, wife of Satish Kumar Singh, resident of Village-Sabalpur Behra, Dakshin Ekauna, P.S.-Udwantnagar, District-Bhojpur.
9. Arti Singh, wife of Ajay Kumar Singh, resident of Village-Sabalpur Behra, Dakshin Ekauna, P.S.-Udwantnagar, District-Bhojpur.
10. Puspa Devi, wife of Ajit Kumar Singh, resident of Village-Sabalpur Behra, Dakshin Ekauna, P.S.-Udwantnagar, District-Bhojpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Digvijay Narayan Singh, Adv.
For the Respondent/s	:	Mr. S. Raza Ahmad, AC to AAG-5
		Mr. Vishambhar Prasad, AC to AAG-5

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-11-2025 The instant writ application has been filed under Article 226 of the Constitution of India by the petitioner seeking the following relief(s):

"1. That this is an application for the issuance of following writ/writs, order/direction:-

(i) For issuance of writ in the nature of Mandamus directing the respondent no. 4 to conclude the



proceeding of Measurement Case no. 6 of 2021-2022 which was initiated from the application of the petitioner.

(ii) For issuance of writ in the nature of Mandamus directing the respondent no. 4 to measure the land of the petitioner after issuing notice to all the boundary raiyats including the private respondents.

(iii) For issuance of writ in the nature of Mandamus directing the respondents to take steps to initiate encroachment proceeding, if any encroachment over the government land situated in east side of the plot of the petitioner.

(iv) For grant of any other incidental or consequential relief/reliefs to which the petitioner may be found entitled to considering the facts and circumstances of the present case."

2. Mr. Digvijay Narayan Singh, learned counsel appearing for the petitioner and Mr. S. Raza Ahmad, learned counsel appearing for the State-respondents are present and they are heard.

3. The main grievance raised by the petitioner in this writ application is non-concluding of the proceeding relating to the Measurement Case No. 6 of 2021-2022 which has been initiated on the application of the petitioner. It is submitted by the petitioner's counsel that upon the application filed by the petitioner for measurement of his land detailed in Sale Deed No. 7087 dated 15.07.2017 pertaining to Thana no. 352, Chak Khata no. 70, Chak Khesra no. 38 consisting of an area of 5 decimal



situated in Mauza- Sabalpur Behra, P.S. & Block Office- Udwant Nagar, District Bhojpur, measurement Case No. 6 of 2021-2022 has been accordingly registered, though, a notice was issued by the Office of the Circle Officer, Block- Udwant Nagar, Bhojpur, directing the petitioner and opposite parties to appear at the land on 07.01.2022 with relevant documentary proof and the petitioner appeared but none of the opposite parties appeared due to which measurement proceeding could not be concluded which is not a sufficient reason for keeping the proceeding pending.

4. Considering the aforesaid submissions and averments made in the petition the respondent no.4 (Circle Officer, Block- Udwant Nagar, Bhojpur) is directed to decide the Measurement Case No. 6 of 2021-2022 in the next three months from the date of receipt of this order's copy as per the provisions of law and the same must not be kept pending merely on account of non-appearance of the opposite parties at the site where the measurement is to be done as the measurement case has been lodged on the application of the petitioner.

5. So far as the other reliefs as sought by the petitioner in this writ application particular with regard to the



alleged attempts having been made by the private respondents to encroach over his land are concerned, for redressing this issue as well as other matter the petitioner should avail the other efficacious remedies available to him under the various laws before appropriate forum.

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

(Shailendra Singh, J)

Rajiv/-

U			
---	--	--	--

