

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13028 of 2017

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1. Kishun Lal Mandal Son of Late Shtalu Mandal,
 2. Nokhe Lal Mandal Son of Late Doman Mandal,
 3. Mahanth Lal Mandal Son of Late Shitalu Mandal,
 4. Sant Lal Mandal, Son of Late Shitalu Mandal, All residents of Village- Rajola, P.S.- Sonamani Gudam, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Bihar Land Tribunal through its Chairman.
3. The Collector-cum- District Magistrate, Araria.
4. The Deputy Collector, Land Reforms, Forbesganj, District- Araria.
5. The Sub- Divisional Magistrate, Forbesganj, District- Araria.
6. The Circle Officer, Forbesganj, District- Araria.
7. Bhaidi Sada, Son of Janak Sada.
8. Jharilal Paswan Son of Yugal Paswan,
9. Dipak Ram Son of Harideo Ram,
10. Kari Lal Paswan, All respondents 7 to 10 resident of Village- Sundari, P.S.- Sonamani, District- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Respondent/s : Mr. Navnit Kumar, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-06-2025 Heard the parties.

2. The present petition has been preferred for the
grant of following relief:

*“(i) For declaration that the pieces of land of the
petitioner bearing Khata no. 306 plot no.
453,454,459,455,450,438,439, Khata no. 307
Plot no.449, 462, 504, Khata no.308 plot no.*



458,456 under mauza Sundari, District Araria have wrongly been included in Gazette as contained in Annexure-3.

(ii) For cancellation of Red Cards if any issued by the Respondents.

(iii) For any other relief/reliefs to which the petitioners may be found entitled in the facts and circumstances of the case.”

3. The petitioners claim that they have purchased the land in the year 1966 from the landholder who chose to put the same in the category of excluded land to be taken over by the State Government. The petitioners came out of the deep slumber and is now running from pillar to post to show that the same could not have been excluded from the land of the landholder.

4. Learned BLT has taken note of the statement of the State that in nowhere in the revenue record, the name of the petitioners stand incorporated despite their claim of having purchased the land in the year 1966.

5. A counter affidavit on behalf of the Circle Officer, Forbesganj, Araria is on record and paragraph nos. 12 and 13 read as follows:

12. That in this matter averred in Para No.-9 it



is humbly submitted that the land owner must objection the inclusion of the land in questions in the said ceiling case but not a slightest whisper was made from the corner of the land owner nor the petitioners ever appeared before the Collector under this act to filed objection prior to the preparation of draft statement u/s 11 (I) of the ceiling act.

13. That the matter averred in Para No. 16 is correct. It is further stated that as the land in question was declared surplus u/s n (I), the collector rightly acquired the same under section 15 A of ceiling act.

6. Though this Court may have sympathy for the petitioners, no relief can be extended to them. The counter affidavit filed in the year 2018 also has not be rebutted. In that background, the writ petition stands dismissed as the Court finds no merit in the petition.

(Rajiv Roy, J)

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