

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17787 of 2025

1. Sadanand Biswas Son of Late Prem Lal Biswas, Resident of Village- Manik Nagar, Arihana, Post Office- Arihana Via Sonaili, Police Station- Azam Nagar, District- Katihar (Bihar) Pin Code- 855114.
2. Bhola Biswas, Son of Late Prem Lal Biswas, Resident of Village- Manik Nagar, Arihana, Post Office- Arihana Via Sonaili, Police Station- Azam Nagar, District- Katihar (Bihar) Pin Code- 855114.
3. Hari Prasad Bishwas, Son of Late Bugan Bishwas, Resident of Village- Manik Nagar, Arihana, Post Office- Arihana Via Sonaili, Police Station- Azam Nagar, District- Katihar (Bihar) Pin Code- 855114.
4. Domi Vishwas, Son of Late Bugan Vishwas, Resident of Village- Manik Nagar, Arihana, Post Office- Arihana Via Sonaili, Police Station- Azam Nagar, District- Katihar (Bihar) Pin Code- 855114.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Collector, Katihar.
3. The Sub Divisional Officer, Barsoi, District- Katihar.
4. The Deputy Collector Land Reforms, Barsoi, District- Katihar.
5. The Circle Officer, Azam Nagar, District- Katihar.
6. Saifur Rahman, Son of Late Habibur Rahman, Resident of Village- Kursail, Jhaua, Post Office Jhaua, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
7. Jamilur Rahman, Son of Late Habibur Rahman, Resident of Village- Kursail, Jhaua, Post Office Jhaua, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
8. Mujahidur Rahman, Son of Late Habibur Rahman, Resident of Village- Kursail, Jhaua, Post Office Jhaua, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
9. Jahidur Rahman, Son of Late Habibur Rahman, Resident of Village- Kursail, Jhaua, Post Office Jhaua, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
10. Md. Rizwan Alam, Son of Late Habibur Rahman, Resident of Village- Kursail, Jhaua, Post Office Jhaua, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
11. Asikur Rahman, Son of Late Khalilur Rahman, Son of Late Maula Bux, Resident of Village- Kursail, Jhaua, Post Office Jhaua, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
12. Ashraf Kamal, Son of Khalilur Rahman, Resident of Village- Kursail, Jhaua, Post Office Jhaua, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.



13. Aquilur Rahman, Son of Late Mujibur Rahman, Son of Late Maula Bux, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
14. Tufailur Rahman, Son of Late Mojibur Rahman, Son of Late Maula Bux, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
15. Md. Shahidur Rahman, Son of Late Mojibur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
16. Nehalur Rahman, Son of Late Mojibur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
17. Laikur Rahman, Son of Late Mojibur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
18. Md. Atiqur Rahman, Son of Late Mojibur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
19. Shamuilur Rahman, Son of Late Shafiqur Rahman, Son of Late Mula Bux, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
20. Muzammilur Rahman, Son of Late Shafiqur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
21. Md. Tazilur Rahman, Son of Late Shafiqur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
22. Rafiqur Rahman, Son of Late Maula Bukas, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
23. Shammilur Rahman, Son of Late Shafiqur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
24. Samsur Rahman, Son of Late Habibur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.
25. Ashraf Rahman, Son of Late Shafiqur Rahman, Resident of Village- Kursail, Jhausa, Post Office Jhausa, Police Station- Kadwa, District- Katihar (Bihar), Pin Code- 855113.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jibendra Mishra, Advocate
For the State	:	Mr. Government Advocate (03)
	:	Mr. Shiv Kumar, AC to GA-3



CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-11-2025 Heard Mr. Jibendra Mishra, learned counsel for the
petitioner and learned counsel representing the State.

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

*“(i) for directing the Respondent
Authorities for granting the Raiyati Right/
Kaiyami Right to the petitioners over the land in
question upon which they are residing with their
family members as well as also in their
cultivating possession since the life time of their
ancestors/great maternal grand-father
(Parnana) namely Talewar Mandal son of Late
Gulab Mandal in whose favour Nagdi Sikmi has
already been recorded in the R.S Khatiyani with
regard to the lands in question (Annexure P-1).*

*(ii) for also seeking direction to the
Respondent No. 5, the Circle Officer, Azam
Nagar, District-Katihar for taking appropriate
steps for granting Kaiyami Right to the
petitioners over the land in question for which
they have already filed their petition before him*



under Section 48 (D) of the B.T Act along with the require documents but the same has been kept pending consideration by him since the last one year (Annexure P-4 series).

(iii) for also restraining the private respondents as well as the Respondent authorities from disturbing the petitioners from their peaceful possession over the land in question which is their residential lands having dwelling houses as well as in their cultivable possession.

(iv) for any other relief or reliefs for which the petitioners may be found entitled in the facts and circumstances of the case.”

3. It is submission of the petitioner that his petition under section 48(D) of the Bihar Tenancy Act is pending for long before the respondent no.5, the Circle Officer, Azam Nagar, Katihar,.

4. Learned State counsel submits that the same shall be taken to its logical conclusion at an earliest.

5. In that background, the writ petition is disposed of after taking note of the submission of the learned State counsel



and it is expected that the respondent no.5, the Circle Officer, Azam Nagar, Katihar shall be taking up the matter and dispose it of after hearing all the parties preferably by 30.06.2026.

(Rajiv Roy, J)

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