

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17331 of 2024

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Gita Sinha W/o-Jagdish Narayan Sinha Resident of Village- Dadpur, P.S.
Akbarpur, District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department Government of Bihar Patna
2. The District Magistrate Nawada
3. The D.C.L.R. Rajauli, Nawada.
4. The Circle Officer, Akbarpur, Nawada.
5. The Ragistrar Rajauli, Registration Department Government of Bihar, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Respondent/s : AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-01-2025 1. Heard learned counsel for the petitioner and learned
AC to GP-27.

2. The learned counsel for the petitioner submits that
the instant writ application has been filed for a direction upon
the authorities to unlock the land of the petitioner bearing C.S
Khata No. 141/87, Plot No. 120/194, area 0.34 decimal as well
as land pertaining to CS/RS Khata No. 124/86, Plot No.
121/615, area 0.5 decimal at Mauza- Ramdev Pargana
Punchrukhi, District-Nawada for registry.

3. The learned counsel for the petitioner submits that
the land was purchased by the husband of the petitioner vide



registered sale deed dated 30-3-1990 executed by Upendra Prasad. It is further submitted that there was some dispute with regard to the title of the land, as such the husband of the petitioner along with Upendra Prasad and Nirmala Devi filed Title Suit No. 217 of 1993 in the court of learned Munsiff, Nawada for declaration of title and possession over the suit land (which also included the land in dispute in the present case) and that revisional survey khatian prepared in the name of the State of Bihar are wrong, incorrect and not binding on the plaintiff. Learned counsel submits that the State of Bihar was a defendant in Title Suit No. 217 of 1993.

4. It is next submitted that the Title Suit No. 217 of 1993 was decreed in favour of the plaintiff (i.e., husband of the petitioner herein and others) by judgement and decree dated 25-2-2009. It is further submitted that the judgement and decree dated 25-2-2009 in Title Suit No. 217 of 1993 had attained finality in absence of challenge.

5. It is next submitted that in view of the judgement and decree dated 25-2-2009 (Annexure-2) in T.S No. 217 of 1993, the land was mutated in the name of the husband of the petitioner and Jamabandi No. 27/2 was created vide Mutation Case No. 1378 of 2009-10 and revenue receipts were issued in



name of the husband of the petitioner, as would manifest from rent receipts annexed as Annexure-3 series.

6. It is submitted that petitioner, being a widow, was in need of money and thus had sold some part of the land purchased by her husband and when she went for registering the land, when it came to her knowledge on 12-5-2024 that the land has been locked for registration.

7. The learned counsel for the petitioner next submits that petitioner, accordingly, represented before the Circle Officer, but then no action was taken, but a legal opinion was sought from the Government Pleader by the Circle Officer and the Government Pleader gave his opinion dated 16-8-2024 (Annexure-6) in favour of the petitioner, but still the land has not been unlocked for registration nor the legal opinion furnished by the Government Pleader is being acted upon.

8. The learned counsel appearing on behalf of the State submits that in the nature of dispute, which has arisen in the instant case, the petitioner, instead of filing his representation before the Circle Officer, ought to have moved before the District Magistrate, Nawada detailing the facts of the case, on which the learned counsel appearing on behalf of the petitioner submits that a fresh representation would be filed



before the Collector, Nawada for redressal of the grievance of the petitioner, as raised in the instant writ application.

9. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the District Magistrate, Nawada, that if any representation is filed by the petitioner on or before 4-2-2025, the District Magistrate shall dispose of the representation within a period of one month thereafter.

(Satyavrat Verma, J)

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