

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17914 of 2025

Kanki Sharma, Son of Late Rameshwar Sharma @ Rameshwar Sutiha
Resident of Village- Sagadhar Gethaura, Post Office- Chandpur, Police
Station- Kadwa, District- Katihar (Bihar) PIN Code- 855105.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Director, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Collector, Katihar.
4. The Deputy Collector Land Reforms, Barsoi, District- Katihar.
5. The Anchal Adhikari, Anchal Kadwa, District- Katihar.
6. Md. Mannan, Son of Late Md. Shahabuddin Resident of Village- Benibari, Post Office- Salmari, P.S.- Kadwa (Salmari O.P.), District - Katihar (Bihar), Pin Code- 855113.
7. Md. Moit, Son of Late Md. Shahabuddin Resident of Village- Benibari, Post Office- Salmari, P.S.- Kadwa (Salmari O.P.), District - Katihar (Bihar), Pin Code- 855113.
8. Md. Jahoor, Son of Late Md. Shahabuddin Resident of Village- Benibari, Post Office- Salmari, P.S.- Kadwa (Salmari O.P.), District - Katihar (Bihar), Pin Code- 855113.
9. Md. Resha, Son of Late Md. Shahabuddin Resident of Village- Benibari, Post Office- Salmari, P.S.- Kadwa (Salmari O.P.), District - Katihar (Bihar), Pin Code- 855113.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Jha, Adv. Mr. Jibendra Mishra, Adv.
For the Respondent/s	:	Mr. Mukund Mohan Jha, AC to GP-27

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-11-2025 The instant writ application has been filed under

Article 226 of the Constitution of India by the petitioner seeking

the following relief(s):

*" (I) For directing the Respondent authorities for
granting the Kaimi/Raiyat Right to the petitioner
over the lands in question, upon which he is in*



peaceful cultivating possession as Bataidar since long and he has already been declared Bataidar over the same under Section 48 (E) of the B.T Act by the Court of competent Authority, the Deputy Collector Land Reforms, Barsoi, District-Katihar, Respondent No. 4 in Bataidari Case No. 11/1994-95 Vide order dated 11/11/1997 (Annexure P-3).

II) For also seeking direction to the Respondent No. 5 the Circle Officer, Kadwa District- Katihar taking appropriate steps for granting kaimi right to the petitioner over the land in question for which the petitioner has already filed his Petition before him under Section 48 (D of the B.T. Act years back in 2014 along with the required documents but the same has been kept pending consideration for years by him (Annexure-P-4).

(III) For also restraining the private respondents as well as the Respondent Authorities from disturbing the petitioner from his peaceful cultivating possession over the lands in question upon which he has also been declared Bataidar by a Court of competent Jurisdiction which has never been challenged by the landlord/ the private Respondents and the same is still intact.

IV) For any other relief or reliefs for which the petitioner may be found entitled in the facts and circumstances of the case."

2. Mr. Dharendra Jha, learned counsel appearing for the petitioner and Mr. Mukund Mohan Jha, learned counsel appearing for the State-respondents are present and they are heard.



3. The main issue raised by the petitioner in this writ petition is that the petitioner's case relating to his prayer for grant of him 'Kaimi Right' over the land in question under Section 48(D) of the B.T. Act is not being decided by the Circle Officer, Kadwa, District- Katihar despite the same being pending since 2014 and the petitioner has filed several applications in this regard, by way of Annexures- P4 to P/6 series, however, the Circle Officer, Kadwa is sitting tight over the petitioner's application.

4. It is very surprising that the petitioner's case/application is not being decided by the said Circle Officer which is pending for more than ten years which is a complete violation of the principle of timely delivery of justice, so, considering this aspect, the Circle Officer, Kadwa is directed to dispose of the petitioner's application or case within four weeks from the date of receipt or production of this order' copy, if the same is available, if not then petitioner will have the right to file a fresh application within two weeks from today and such fresh application or case shall be decided within four weeks from the date of its filing according to its merit and after giving opportunity of hearing to both the sides. Accordingly, the writ petition stands disposed of.

(Shailendra Singh, J)

Rajiv/-

U			
---	--	--	--

