

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.496 of 2025

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Baleshwar Ram son of Bharosa Ram Resident of village- Sikraur, Police
Station- Shiv Sagar, District- rohtas

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
Department, Government of Bihar, Patna
2. The Collector, Rohtas, Sasaram
3. The Additional Collector, Rohtas, Sasaram
4. The Sub- Divisional Officer, Sasaram, Rohtas
5. The Deputy Collector, Land Reforms, Sasaram, Rohtas
6. The Circle Officer, Chenari, District Rohtas
7. The Officer in-charge, Chenari, District Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey

For the Respondent/s : Mr.Government Advocate (05)

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-01-2025

Heard the parties.

2. The present writ petition has been preferred by the
petitioner for following reliefs:-

*(i) for issuance of a writ in the nature of
writ of Mandamus directing the respondent
authorities i.e. Circle Officer, Chenari and Officer-
in-charge Chenari to deliver of possession of settled
land of Mauza- Jagdishpur Thana No. 416, Khata
No. 59 Plot No. 194 area 1.22 Acre pursuance to the
order dated 13.5.2024 passed in Land Dispute
Resolution Case No. 43/2023-2024 Baleshwar Ram
Versus Circle Officer Chenari" by Deputy Collector,
Land Reforms, Sasaram, Rohtas.*

(ii) for issuance of a writ in the nature of



writ of Mandamus directing the respondent authority i.e. Deputy Collector, Land Reforms, Sasaram (respondent no. 5) to consider the application dated 29.10.2024 sent by petitioner through registered Post for execution of order dated 13.5.2024 passed by him in land dispute resolution case no. 43/2023-24 and delivered the possession of the land of Mauza Jagdishpur, Thana No. 416, Khata no. 59 Plot no. 194 area 1.22 Acre which has been settled in the name of the petitioner by the respondent authorities by order dated 16.12.1993 after proper verification and recommendation by concerned authorities.

(iii) for issuance a writ in the nature of writ of Mandamus directing the respondent authorities to consider the execution petition dated 29.10.2024 sent through registered post by the petitioner and delivered the possession of the settled land to the petitioner.

(iv) for issuance of any other appropriate writ (s) or order (s) or direction which may be deemed fit and proper in the facts and circumstances of the case.

3. The petitioner claims himself to be settlee/allottee of the land in question. His grievance is that his allotted land was encroached. The petitioner took the recourse of remedy, provided under Section 4 of the Bihar Land Dispute Resolution Act, 2009 by filing a representation bearing Land Dispute Resolution Case No. 43/2023-24.



4. Learned counsel for the petitioner has submitted that the DCLR, vide order dated 13.05.2024, after finding the land settled in the name of the petitioner, directed the concerned Circle Officer to adjudicate upon the petitioner's grievance. He has submitted further that despite the specific order of the DCLR, the Circle Officer is not complying with that order.

5. On the other hand, the learned counsel for the State has submitted that the operative portion of order dated 13.05.2024 passed by DCLR itself shows that the DCLR has directed the concerned Circle Officer to deliver the possession of the disputed land to the petitioner, after verifying the real facts and only in case the *parcha* granted to the petitioner found to be genuine, the delivery of possession should be handed over to the petitioner.

6. The The Circle Officer, Chenari, District Rohtas is directed to comply with the order dated 13.05.2024 passed by the DCLR in Land Resolution Case No. 43/2023-24 as soon as possible, preferably within six months.

7. With these observations/directions, the writ petition stands disposed of.

(Nawneet Kumar Pandey, J)

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