

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1481 of 2025

1. Rajesh Sahni Son of Jugeshwar Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
2. Pappu Sahni, Son of Upendra Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
3. Chandreshwar Sahni, Son of Vijay Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
4. Bhola Sahni, Son of Harikishun Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
5. Manju Devi, Wife of Ram Vilas Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
6. Chanda Devi, Wife of Ajay Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
7. Rubi Devi, Wife of Vinod Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
8. Upendra Sahni, Son of Raudi Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
9. Ramesh Sahni, Son of Shatrughan Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
10. Bacchu Sahni, Son of Upendra Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
11. Krishna Sahni, Son of Upendra Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
12. Raja Babu Sahni, Son of Rajkumar Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
13. Hareram Sahni, Son of Upendra Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.
14. Rambabu Sahni, Son of Harikishun Sahni resident of village Jodpura, P.S.- Tajpur (Halai O.P.), Circle - Patori, District- Samastipur.

... .. 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, Land Records and Survey, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate -cum- Collector, District- Samastipur.
4. The Additional Collector, District - Samastipur.
5. The Charge Officer, District Settlement Office, District- Samastipur.
6. The Circle Officer, Circle- Patori, District- Samastipur.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, GP-18
Mr. Navnit Kumar, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-02-2025 Heard Learned Counsel for the petitioners and

Learned Counsel for the State.

2. The petitioner has filed the instant writ petition
with the following reliefs:-

“(a). For a direction upon the Respondent Authorities to settle the respective homestead land of the Petitioners situate at Mauja Sri Ramdih, Khata No. 51, Khesra No. 02 in their favour in terms of the Bihar Privileged Persons Homestead Tenancy Act, 1947.

(b). For a direction upon the Respondent Authorities not to disturb the possession of the Petitioners over their respective homestead lands situate at Mauja Sri Ramdih, Khata No. 51, Khesra No. 02 during the pendency of the present writ application.

(c). To pass any other order/orders in shape of a consequential relief to which the Petitioner may be found to be legally entitled to in the facts and circumstances of the instant case at hand.”



3. Learned Counsel for the petitioners submits that the steps for settlement of the land to the petitioners has been initiated but it has not been concluded. It is due to this reason the petitioner has moved before this Court.

4. Learned Counsel for the State raised preliminary objection and submits that the petitioners have not exhausted his all remedy available under the Bihar Privileged Persons Homestead Tenancy Act, 1947 (Bihar Act IV of 1948).

5. After hearing the argument, it transpires to this Court that the petitioners have remedy under Section 21 of the Bihar Privileged Persons Homestead Tenancy Act, 1947 as Collector is the competent authority in this matter.

6. In this view of the matter, this Court hereby directs the petitioners to approach to the District Magistrate-cum-Collector, Samastipur, under Section 21 of the Bihar Privileged Persons Homestead Tenancy Act, 1947 within four weeks from today and thereafter the District Magistrate-cum-Collector, Samastipur, after going through the entire records and hearing the parties, shall decide the petitioners' grievances in accordance with law within 90 days from the date of their appearance with a reasoned and speaking order.



7. With this direction, this writ petition is disposed
off.

(Dr. Anshuman, J)

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