

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1256 of 2026

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1. Durga Dat Pandey S/O. Rag Nath Pandey, Resident of Mohalla/Village-Parariya, P.O.-Bhakura, P.S.-Tarari, District-Bhojpur, State-Bihar, PIN-802205.
 2. Tapeswar Pandey, S/O. Chandra Kumar, Resident of Mohalla/Village-Parariya, P.O.-Bhakura, P.S.-Tarari, District-Bhojpur, State-Bihar, PIN-802205.
 3. Guddu Pandey @ Narendra Pandey, S/O. Dev Kumar Pandey, Resident of Mohalla/Village- Parariya, P.O.-Bhakura, P.S.-Tarari, District-Bhojpur, State-Bihar, PIN-802205.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Main Secretariat Building, Patna, Bihar.
2. The Director, Chakbandi, Revenue and Land Reforms Department, Government of Bihar, Main Secretariat Building, Patna, Bihar.
3. The Divisional Commissioner, Patna Division, Patna.
4. The Collector, Bhojpur at Ara, District-Bhojpur, Bihar, PIN 802301.
5. The Additional Collector, Bhojpur at Ara, District-Bhojpur, Bihar, PIN 802301.
6. The Deputy Collector, Land Reforms, Piro, Bhojpur, PIN-802207.
7. The Circle Officer, Tarari, Circle-Tarari, Bhojpur, PIN-802209.
8. The Chakbandi Officer, Tarari, Bhojpur, PIN-802209.
9. Brajendra Nath Pandey, S/O. Late Sidh Nath Pandey, Resident of Mohalla/Village- Parariya, P.O.-Bhakura, P.S.-Tarari, District-Bhojpur, State-Bihar, PIN-802205.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bishwa Bibhuti Kumar Singh, Adv.
For the Respondent/s : Mr. Government Advocate (7)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2026 Heard the parties.

2. The present application has been preferred for the
following relief(s):



(i) For issuance of a writ in the nature of Certiorari for quashing / setting aside order dated 12.09.2025 passed by the Deputy Collector, Land Reforms (herein after DCLR), Piro, Bhojpur by which, order dated 31.01.2022 passed in Measurement Case No.07/2021-22 passed by the Circle Officer, Tarari has been dismissed and further ordered for measurement of the land of the petitioners considering the same as a public road without considering the fact that the land is being cultivated by the petitioners and is under full right and possession after the same being consolidated in the year in the year 1977 vide an order dated 27.12.1977 passed by the Director of Consolidation, Patna in Consolidation Case No.594/76 heard along with Consolidation Case No.611/76 under section 35 of The Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956.

(ii) For a direction to the respondents to consider the case of the petitioners in the light of the decision of the Director of Consolidation, Patna dated 27.12.1977 passed in Consolidation Case No.594/76 under Section 35 of the Consolidation Act.

(iii) For passing of an order or direction to the respondents not dispossess



the petitioners from the land in question (Part of Mauza-Pararia, Thana No.135, Khata No.-21, Khesra No.142, area-12 decimal and Khesra no.146, area- 1 Acres 27 decimals) which is belong to the petitioners merely on a garb of measurement report.

(iv) Any other writ or writs/ direction /order as this Hon'ble Court may deem fit and proper for the end of Justice.

3. The case of the petitioner is that while passing the order in question dated 12.09.2025, the DCLR, Piro, Bhojpur failed to look into the order of the Circle Officer, Tarari, Bhojpur according to which, on the earlier occasion, when the officials went for measurement, the respondent no. 9 tried to disturb it.

4. This Court has gone through the two orders and the submissions put forward by the learned counsel for the petitioner seems to be justified. However, to put an end to the entire dispute, the Deputy Collector Land Reforms, Bhojpur has rightly ordered the land to be measured afresh.

5. The only thing this Court would like to add that the Deputy Collector Land Reforms, Piro, Bhojpur shall ensure that the order passed by him is complied in toto inasmuch as both the parties are properly noticed, a date fixed, their presence be recorded and in case, either of the party tries to disturb the



measurement, the same be recorded and further even if they fail to put in their signature, the said fact should also be part of the report.

6. The Deputy Collector Land Reforms, Piro, Bhojpur shall ensure that it comes to his table in time. This Court would also record that the respondent shall ensure the presence of the Consolidation Officer, Bhojpur at the time of the measurement.

7. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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