

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2859 of 2026

Manish Kumar S/o Late Suresh Chandra Roy, R/o Village and Post-Kanhauyachak, P.S Parbatta, Dist-Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna
2. The District Magistrate, Khagaria
3. The Additional Collector, Khagaria
4. The Deputy Collector Land Reforms, Khagaria
5. The Circle Officer, Parbatta, Khagaria

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Adv.
	:	Mr. Baidyanath Thakur, Adv.
	:	Mr. Kaushik Deo, Adv.
For the Respondent/s	:	Mr. Government Advocate (05)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-06-2026 Heard Mr. Baidyanath Thakur, learned counsel for the petitioner and learned State counsel.

2. The present petition has been preferred for the following relief/s:

“a. directing/ commanding the Respondent authorities to create Jamabandi in the name of Shri Suresh Chandra Roy(since deceased) or his Legal Heirs including the Petitioner with the respect to plot of land admeasuring 2 Bigha 15 Katha 4 Dhurs situated at Mauza- Jorawarpur, Khagaria bearing Tauzi No. 1806 appertaining to



Khata No. 442, Khesra No. 547, 548, 550 and 551 on the basis of the recommendation made by the Ld. DCLR, Khagaria in Jamabandi Creation Case No. 02 of 2008-09 vide order dated 23.08.2011.

b. any other relief/reliefs that Your Lordship may deem fit and proper in the facts and circumstances of the present case.”

3. The matter relates to a piece of land details of which is/are incorporated in para-4 and read as under:

Khata No.	Khesra No.	Area (B-K-D)
442	548	1-1-11
442	550	0-5-19
442	547	1-5-13
442	551	0-2-1
Total		2-15-4

4. The father the of petitioner, late Suresh Chandra Roy fought legal battle with Shivnandan Sah (not made party respondent before this Court) and the said Jamabandi Case No. 02 of 2008-09 before the learned Deputy Collector Land Reforms, Gogri was decided on 23.08.2011 by which taking into account the facts of the case as also that Shivnandan Sah failed to defend the case, a recommendation was made to the Additional Collector, Khagaria for creation of Jamabandi



(Annexure P/2 to the petition).

5. The contention is that thereafter, the matter remained pending for a decade, his father died on 05.12.2016 leaving behind following legal heirs:

- i. Widow Manju Devi;*
- ii. Rajesh Roy;*
- iii. Akhilesh Roy;*
- iv. Manish Roy @ Manish Kumar (petitioner herein);*
- v. Raj Kumar Roy.*

6. The names incorporated in para-17 do not have any names of female heirs and the contention is that to his knowledge, late Suresh Chandra Roy was not survived by any daughter.

7. Learned counsel for the petitioner has taken this Court to letter dated 22/02/2025 issued by the office of the Additional Collector, Khagaria and addressed to the DCLR, Gogri directing him/her to provide report from the Circle Officer, Parbatta on the subject matter (Annexure P/5).

8. Learned counsel for the petitioner submits that decade has passed on, the father died and now the heirs are fighting the legal battle without any step whatsoever that is/are to be taken by the respondent authorities.



9. Two copies of the writ petition was/were served upon learned State counsel on 18.02.2026 and a letter was also sent to the respondents but today on call, the response of the learned State counsel is that they failed to receive any statement of fact.

10. This Court has two options, either to keep the case pending and impose cost upon the respondents. Alternatively, to dispose of the writ petition with directions. The Court chooses the second option.

11. Let the respondent Additional Collector, Khagaria (respondent no. 3), the Deputy Collector Land Reforms, Khagaria (respondent no. 4) as also the respondent no. 5, the Circle Officer, Parbatta, Khagaria look into the matter and the DCLR, Gogri shall ensure that the order/letter dated 22.02.2025 issued by the Additional Collector, Khagaria is/are immediately complied with (if still not complied with).

12. Once the report reaches the table of the Additional Collector, Khagaria he/she shall be duty bound to pass necessary order in accordance with law after noticing/hearing all the legal heirs including the sister (if any) and other objector. If the petitioner as also the other heirs/widow submit representation within four weeks, the respondent shall be duty bound to pass an



appropriate order in accordance with law in next three months after the receipt of the representation/petition.

13. If any order has been passed, no further step is to be taken.

14. The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

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