

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2766 of 2026

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Mandal Baski Son of Late Badro Baski @ Badri Baski, Resident of Ward No.15, Singhia Sultanpur, Chakla, P.O- Chaklaghat, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar.
3. The Collector cum District Magistrate, Kishanganj.
4. The Additional Collector, Kishanganj.
5. The Sub-Divisional Officer, Kishanganj.
6. The Deputy Collector Land Reforms (D.C.L.R), Kishanganj.
7. The Anchal Adhikari (C.O.), Kishanganj.
8. The Block Development Officer (B.D.O.), Kishanganj.

.....Respondent 1st set

9. Abu Talib, Son of Late Syed Ali, Resident of Khankah Road, Ward No.23, Ruidhasha, P.O., P.S. and District- Kishanganj.
10. Kabir, Son of Md. Suleman, Resident of Khankah Road, Ward No.23, Ruidhasha, P.O., P.S. and District- Kishanganj.
11. Shahjahan, Son of Late Mojibur Rahman, Resident of Khankah Road, Ward No.23, Ruidhasha, P.O., P.S. and District- Kishanganj.
12. Abdur Rahman, Son of Habibur Rahman, Resident of Khankah Road, Ward No.23, Ruidhasha, P.O., P.S. and District- Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha, Advocate
For the Respondent/s : Mr.Anuj Kumar, GP (24)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-02-2026 Heard Mr. Satish Kumar Sinha, learned counsel

 appearing on behalf of the petitioner and Mr. Anuj Kumar,

 learned GP 24 for the State.

2. The petitioner in paragraph no.1 of the present writ

petition has sought *inter alia* the following relief(s), which is



reproduced hereinafter referred to as the:-

A. To set aside the order dated 29.11.2025 passed by the respondent District Magistrate-cum-Collector, Kishanganj in Parcha Cancellation Case No. 55/2018–19, whereby and whereunder the said authority has wrongly, illegally, and arbitrarily confirmed the registered sale deed executed in favour of the Respondent Second Set, in clear contravention of Section 27(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (hereinafter referred to as “the Act”), with respect to the land settled under the provisions of the Act in the name of Badri Baski, father of the petitioner, vide Bandobasti Parcha Case No. 4041–91/1966–67, appertaining to Plot No. 1515, Khata No. 94, Area 5.12 Acres, situated at Mouza–Khagda, Thana No. 57, Ward No. 6.

By the aforesaid impugned order dated 29.11.2025, the lawful claim of the petitioner has been illegally disallowed as not maintainable, without any basis either in fact or in law.

B. To further direct the respondent Collector, Kishanganj to restore the Bandobasti Parcha in respect of the aforesaid land measuring 5.12 Acres in favour of the petitioner, as settled through Bandobasti Parcha Case No. 4041–91/1966–67, in accordance with law.

C. To direct the respondents not to disturb the peaceful possession of the petitioner over the aforesaid settled land measuring 5.12 Acres till the final adjudication and disposal of the present application.

D. To direct the respondent No. 2 to take appropriate departmental and legal action against the respondent Collector, Kishanganj (Respondent No. 3) for willfully ignoring and violating the mandatory statutory provisions contained under Section 27(3) of the Act while passing the impugned order dated 29.11.2025 (Annexure–P/1).”

3. Learned counsel appearing on behalf of the petitioner seeks to avail remedy before the Commissioner against the order passed by the District Magistrate-cum-Collector, Kishanganj for the relief as prayed for in the present



writ petition.

4. It is admitted that a registered sale deed was executed by the father of the petitioner in respect of the same land which was settled in his favour being a landless person. Such sale is prohibited as per the provision of Section 27(3) of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, the petitioner cannot claim his right on the basis of claim that he is also landless and he has all right to inherit the settled land in question as per the provision of Section 27(3) of the aforesaid Act.

5. I don't find that the present writ petition is maintainable.

6. Petitioner may avail remedy for cancellation of sale deed before the competent civil court having jurisdiction.

7. The present writ petition stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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