

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3148 of 2026

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Ashok Kumar Gupta Son of Late Kedar Sah, Resident of Mohalla- Suratganj,
Madhubani Town, Ward No. 8, P.S.- Madhubani Town, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land Revenue, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Madhubani.
4. The Superintendent of Police, Madhubani.
5. The Circle Officer, Rahika, District- Madhubani.
6. Surya Narayan Gupta Son of Late Kedar Sah, Resident of Mohalla-Suratganj, Private Bus Stand, Madhubani Town, Ward No. 08, P.S.- Madhubani Town, District- Madhubani.
7. Binod Kumar Gupta, Son of Late Kedar Sah, Resident of Mohalla-Suratganj, Private Bus Stand, Madhubani Town, Ward No. 08, P.S.- Madhubani Town, District- Madhubani.
8. Umesh Kharga, Son of Late Nandu Kharga, Resident of Mouje Gandhinagar Simri, P.S.- Bisfi, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar Singh, Advocate
For the State	:	Mr. Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-03-2026 Heard Mr. Ravindar Kumar Singh, learned counsel

for the petitioner and Mr. Manish Kumar, learned GP-4

representing the State.

2. The present petition has been preferred for the
grant of following relief(s):

“(i) for Quashing of the Notice No.

55/XI dated 28.01.2026 issued by the Circle



Officer, Rahika, District-Madhubani for measurement of the land of the Petitioner on 31.01.2026 and on his appearance on that day with all relevant documents concerning his ownership of the land in question then oral/verbal order was given to him that measurement of the land would be subsequently done on 14.02.2026.

(ii) for holding that the Notice No. 55/XI dated 28.01.2026 issued by the Circle Officer, Rahika, Madhubani for measurement of the land on 31.01.2026 is illegal and not accordance to the law.

(iii) for holding that the Circle Officer, Rahika has got no power vested in the law for measurement of the land pertaining to Mouja Chakdah, Madhubani, Thana No.33, Khata No.311, Khesra No.105 and Total Area being 1.09 Decimals.

(iv) for holding that the Circle Officer, Rahika has got no power for measurement of the land in question when the Title Suit No. 288 of



2024 & Title Suit No. 27 of 2025 filed by the Petitioner against the Private Respondent Nos. 6 to 8 are pending for final hearing and disposal before the Learned Court of Sub-Judge - I, Madhubani.

(v) for a direction to the Circle Officer, Rahika, Madhubani not to pass further order for measurement of the land in question actually belonging to the Petitioner.

(vi) for a direction to the State Respondents to restrain the private respondents in encroachment of the peaceful possession of the house of the Petitioner constructed over the land in question.

(vi) for any other Relief/Reliefs as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.”

3. Learned State counsel at the outset, makes a preliminary objection that the notice issued by the Circle Officer, Rahika has been challenged in the present petition. Instead, the petitioner should have approached the authority with all the documents to support his case.



4. Learned counsel for the petitioner submits that the respondent no. 6 and 7 are his own brothers while respondent no.8 has illegally purchased the land which belongs to him and they are regularly creating troubles making the life of the petitioner/family members miserable.

5. Learned State counsel submits that the appropriate forum/court/Police Stations are there to redress grievance of the petitioner.

6. This Court has taken note of the submissions put forward by the parties and expect the petitioner to submit all the documents before the concerned Circle Officer, Rahika, Madhubani pursuant to the notice dated 28.01.2026 issued by his/her office.

7. Needless to add, the Circle Officer, Rahika has to act strictly in accordance with law after noticing/hearing all the parties including the respondent no. 6 to 8.

8. So far as other grievances are concerned, this Court is in agreement with the submissions put forward by the learned State counsel that if the petitioner has any apprehension, he should approach the concerned Police Station and if there is apprehension of breach of peace, the concerned Sub-Divisional Magistrate who are duty bound to look into the matter.



9. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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