

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4970 of 2026

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Dilip Kumar @ Dilip Kumar Sah S/o- Lakshman Sah, R/o- Gulistan Mohalla,
Ishapur Road, Khankah More, C.P.S. School, P.S- Phulwari Sharif, Patna, Pin-
801505, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar.
3. The District Magistrate-cum-Collector, Arwal.
4. The District Registrar, Arwal.
5. The District Sub-Registrar, Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anjum Perveen, Advocate Mr. Arshad Alam, Advocate
For the Respondent/s	:	Mr. Mujtabaul Haque, GP (12)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 24-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State-respondents.

2. Mr. Arshad Alam representing the petitioner, who
submits that documents are readable, in respect of Defect No.22
may be ignored and defect No.103 is said to have been verified.

3. In view of the statement made by counsel for the
petitioner, the matter will be seen at the time of admission,
Defect No.103 has been verified and requires no change, both
the Defect Nos.22 and 103 has hereby ignored.

4. The instant writ petition has been filed for the



following relief(s):-

(i) To issue a writ of mandamus and direction may be issued to the respondent authorities to not to interfere or prevent the petitioner from the sale of the land as the petitioner is willing to sale out his land for the marriage of his own daughter and for the repayment of the loan amount taken by him for the treatment of his father.

(ii) To direct the respondent authorities not to create the hindrance in the property or land in question which is legally purchased property registered in Khatiyani and the petitioner and his family members are in possession of the said land.

(iii) To direct the respondent authorities to treat the property in question as the property of petitioner as it is registered and the petitioner is continuously paying rent to the government and he is in possession.

(iv) To issue a writ of mandamus and directions to the authorities to not to interfere in sale of the property in question in any manner as the petitioner has legal right, title and interest over the property.

(v) To direct the respondent authorities to grant the permission for the sale/disposal of the land in question so that the marriage of his daughter may take place.

(vi) To direct the respondent authorities to not to interfere or prevent the sale/ transfer /mortgage/lease or further creation of rights in the property against the wish of the petitioner.

(vii) To direct the state authorities to consider the request for sale/registry



made by the petitioner for the marriage of his daughter.

(viii) Any other appropriate relief/reliefs, writ, order or direction for which the petitioner is deemed to be entitled.

5. Learned counsel for the petitioner submits that petitioner had purchased two pieces of land one pertaining to Khata No.114, Plot No.258 measuring to 67 kattha and second pertaining to Khata No.67, Plot No.263 measuring to 18 decimal, both situated at Mauza-Baidrabad, Ward No.22, Thana No.81, District-Arwal of which, the sale deed was registered by Office of District Registrar, Arwal on 12.03.2012 and 23.03.2013 and thereafter, mutation has been done in favour of the petitioner, also the land rent has been paid. It is further been submitted that the petitioner now, proposes to sell the aforesaid lands, however, he is unable to do so due to the restrictions imposed by the authorities.

6. On the other hand, learned counsel for the State by referring to the stand taken by the State-respondents in paragraph No.19 and paragraph No.21 of the counter affidavit, submits that since the restrictions have been imposed under the orders of Chief Revenue Officer in the district and competent authority for inclusion or deletion of land from the "RokSuchi" is the Collector-cum-District Registrar and such actions can be



taken only upon the obtaining orders from competent authority. It has further been submitted that the petitioner has deliberately bypassed the jurisdiction under Section 72 of the Registration Act, 1908, whereby the petitioner has the remedy to appeal before the Collector-cum-District Registrar and petitioner may avail such remedy.

7. Taking into account the stand taken in the counter affidavit the counsel for the petitioner submits that petitioner may be given liberty to approach the District Collector, Arwal by invoking the power and such liberty provide under the Registration Act, 1908, keeping in view though the necessity of funds for medical treatment of his father and to meet the expenses of marriage of his daughter, the petitioner entails to file appropriate application on the provisions of the Registration Act, 1908 and on filing or such application the petitioner proposes that appropriate time may be granted for adjudication of this case.

8. Considering the stand of the parties, this Court directs the petitioner to file an application before District Collector, Arwal under appropriate provisions within a period of four weeks from today with all supportive materials along with the copy of the order passed by this Court. Once, such



application is filed, the District Collector shall take appropriate decision within a period of three months from the date of filing the application.

9. With the aforesaid observations and directions, the instant writ petition stands disposed of.

(Ajit Kumar, J)

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