

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5400 of 2026

1. Shankar Prasad Ram @ Shankar Ram Son of Gulten Ram, Resident of Purnea, Durgapur, Baraitha, Garhbanaili, Police Station- Kasba, District- Purnia, Bihar, Pin Code- 854325.
2. Rita Kumari @ Rita Devi, Wife of Shankar Prasad Ram @ Shankar Ram, Resident of Purnea, Durgapur, Baraitha, Garhbanaili, Police Station- Kasba, District- Purnia, Bihar, Pin Code- 854325.
3. Sumit Kumar @ Santosh Kumar, Son of Shankar Prasad Ram @ Shankar Ram, Resident of Purnea, Durgapur, Baraitha, Garhbanaili, Police Station- Kasba, District- Purnia, Bihar, Pin Code- 854325.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Revenue Department and Land Reforms, Government of Bihar, Patna.
2. DCLR, Sadar, Purnea.
3. Deva Nand Ram Son of late Gulten Ram, Resident of Purnea, Durgapur, Baraitha, Garhbanali, Police Station - Kasba, District- Purnia, Bihar, PIN Code - 854325.
4. Mosomat Tulsiya Devi Wife of late Shiva Nand Ram, Resident of Purnea, Durgapur, Baraitha, Garhbanali, Police Station - Kasba, District- Purnia, Bihar, PIN Code - 854325.
5. Kamal Ram Son of late Shiva Nand Ram, Resident of Purnea, Durgapur, Baraitha, Garhbanali, Police Station - Kasba, District- Purnia, Bihar, PIN Code - 854325.
6. Sri Prasad Ram Son of late Gulten Ram, Resident of Purnea, Durgapur, Baraitha, Garhbanali, Police Station - Kasba, District- Purnia, Bihar, PIN Code - 854325.
7. The Secretary Bihar Bhoodan Yagna Committee

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Majid Mahboob Khan, Advocate
For the Respondent/s	:	Mr. Addl. Advocate General (04)
For the Resp No.3 to 6	:	Mr. Rajni Kant Singh, Advocate
	:	Mr. Manish Kumar, Advocate
	:	Mr. Sandeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-07-2026

Heard the parties.

2. The present petition has been preferred:



"that the petitioners seek indulgence of this Hon'ble Court for issuance of a writ in the nature of certiorari for quashing the order dated 21.11.2024 passed by the Learned Deputy Collector Land Reforms (hereinafter referred as DCLR) passed in Dispossession Case No. 12 of 2024 - 25 under Land Dispute Redressal Act whereby and where under the sale deed of the writ petitioner has been cancelled, thus the impugned order is without jurisdiction and cause great hardship to the petitioner for further issuance of the writ in the nature of mandamus directing the respondents not to disturb the physical possession of the petitioner since over the plot there is residential house of the petitioner and further for issuance of any other writ / writs, command /commands, order / orders direction / directions as your Lordship deem fit and proper in the facts and circumstances of this case.

3. While the respondent nos. 3 to 5 claim themselves to be settlee from the Bhoodan Yagn Committee (henceforth for short 'the Committee'), the petitioner herein have stake their claim on the basis of being purchaser from Sri Prasad Ram. He has purchased from the respondent no. 6 who is the settlee and the brother of petitioner no. 1.

4. The respondents nos. 3 to 6 moved before the Deputy Collector, Land Reforms, Sadar, Purnea in the



Dispossession Case No. 12 of 2024-25 (Dev Anand Ram and others vs. Ramchandra Ram and others) in which vide an order dated 21.11.2024 after holding that the gifted Bhoodan land cannot be transferred/sold, the claim of the respondents was/were allowed asking the petitioners to clear the land.

5. This followed the writ petition.

6. In this case, the notices were issued which followed the appearance of the respondent nos. 3 to 6.

7. Learned counsel for the petitioner submits that pursuant to the transfer of the land by his brother (respondent no.6), the petitioners came in peaceful physical possession and only to disturb it, the case was filed in connivance with his own brother in which an order has been passed.

8. Learned counsel for the petitioner submits that contrary to the claim put forward by the parties, actually it is a raiyati land.

9. Learned counsel for the Bhoodan Yagn Committee submits that the Deputy Collector Land Reforms, Sadar, Purnea has rightly recorded that the settlee/the land which has been allotted by 'the Committee' cannot be transferred much less sold.

10. The further submission is that an order has been



passed, ultimately the parties will have to move before competent Civil Court for the redressal of their grievance.

11. Learned counsel representing the respondent nos.3 to 6 also support the contention put forwarded by the learned counsel for 'the Committee'.

12. This Court has recorded the facts of the case and as the parties will ultimately have to settle their dispute before a competent Civil Court, without making any observation which may be prejudicial to the either of the party, granting liberty to them to move before a competent Civil Court, the writ petition is disposed of.

(Rajiv Roy, J)

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