

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5748 of 2026

1. Chandra Shekhar Prasad, Son of Late Kamlapati Ram, Resident of village-Garigawan, P.O.-Purbi Bhelari, P.S- Dinara, Bhelari Purwari, District-Rohtas, Bihar-802215.
2. Pramod Kumar, Son of Late Ganga Sagar Chaudhary, Resident of Rajiv Nagar, Phulwari, P.O.- Keshri Nagar, P.S.- Rajiv Nagar, Patna, Bihar, 800024.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Secretary. Prohibition, Excise and Registration Department, Government of Bihar, Patna.
4. The Inspector General of Registration, Excise and Registration Department, Government of Bihar, Patna.
5. The District Magistrate, Rohtas at Sasaram.
6. The Deputy Collector Land Reforms, Bikramganj, District-Rohtas.
7. The Sub-registrar, Sub-Registry Office, Bikramganj, District-Rohtas.
8. The Circle Officer, Anchal- Dinara, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Singh, Advocate
For the Respondent/s : Mr. Standing Counsel (11)

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-05-2026 This writ application has been preferred for grant of
following reliefs:-

(i) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent no. 5 to remove/release the raiyati land appertaining to Khata No. 1, Chak Khesra No. 139, Area 212 D, Village- Garigawan, Thana No. 226, District Rohtas from the category/scheme of "Jal Jiwan Hariyari Yojana, Government of



Bihar", as the said land is the private/raiyati land of the father of the Petitioner No. 1 namely Late Kamlapati Dushadh, as reflected in the Chakbandi Khatiyan, and has been wrongly and arbitrarily included in the said scheme.

(ii) For a declaration that if the land bearing Khata No. 1, Chak Kheshra No. 139, Rakba 212 D. Village- Garigawan, Thana No. 226, District-Rohtas was the Raiyati land of the father of the petitioner no. 1 namely Late Kamlapati Dushadh as per the Chakbandi Khatiyan, there was no occasion for the respondent no. 5 to include the afore-said land in the category/scheme of Jal Jiwan Hariyari Yojana Bihar Sarkar that too without any notice, consent or acquisition proceedings.

(iii) For a further declaration that if the petitioner no. 1 has already made fresh representation before the respondent no. 5 vide speed post on 07.02.2026 stating that the raiyati land of the petitioner no. 1 has wrongly been included in the scheme of Jal Jiwan Hariyari Yojana Bihar Sarkar and even earlier also the representation was made before the respondent no. 5 though no receiving was given, the respondent no. 5 was required to release the said land from the said scheme which has been wrongly included in the said scheme without any notice or information to the raiyat.

(iv) For commanding and directing the respondent authorities to register the sale deed executed by the petitioner no.1 in favor of the petitioner no. 2 after the release of the said land from the scheme of Jal Jiwan Hariyari Yojana Bihar Sarkar, since the petitioner no. 1 is the valid owner of the said



land and Jamabandi is also running in the name of the petitioner no. 1 and further the petitioner no. 2 has already paid Stamp duty of Rs 77030 for registration of the sale deed in his favor.

2. Learned counsel for the petitioners submits that the land in question i.e. Area 212 Decimal appertaining to Khata No. 1, Chak Khesra No. 139, Thana No. 226, Village Garigawan, P.S. Dinara, District-Rohtas is the *raiyati* land of the petitioner no. 1. The Chakbandi Khatian was prepared in the name of the father of the petitioner no. 1. The name of the petitioner no. 1 stands mutated and Jamabandi was created in his favour bearing Jamabandi No. 215145800111387. It is further submitted that the land of the petitioner has wrongly been included in the scheme of "Jal Jiwan Hariyali Yojana" by the District Magistrate, Rohtas without any knowledge or notice to the petitioners. Thereafter the petitioner no. 1 filed a representation before District Magistrate, Rohtas (respondent no. 5) to release the *raiyati* land of the petitioner no. 1 from the said scheme. Again on 07.02.2026, the petitioner no. 1 filed a detailed representation to respondent no. 5 through speed post for the same prayer, but no action has been taken till date.

3. Learned counsel for the petitioners further submits that if the grievance of the petitioner no. 1 is redressed, a



direction may further be given to the Sub-Registrar, Sub-Registry Office, Bikramganj, Rohtas (respondent no. 7) to register the sale deed executed by the petitioner no. 1 on 10.02.2021 in favour of the petitioner no. 2.

4. Having regard to the nature of the grievance of the petitioner, the District Magistrate, Rohtas at Sasaram (respondent no. 5) is directed to dispose of the application of the petitioner no. 1 which was filed through speed post on 07.02.2026, within three months from the date of production/receipt of this order.

5. With regard to relief no. iv, the Sub-Registrar, Sub-Registry Office, Bikramganj, Rohtas (respondent no. 7) is directed to take steps to register the sale deed executed by the petitioner no. 1 on 10.02.2021 in favour of the petitioner no. 2 if the land in question is released from the said scheme by the District Magistrate, Rohtas with regard to 212 decimals appertaining to Khata No. 1, Chak Khesra No. 139, Thana No. 226, Village Garigawan, P.S. Dinara, District-Rohtas.

6. Accordingly, this writ application is disposed of with the aforesaid direction.

(Khatim Reza, J)

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