

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5874 of 2026

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Ram Bahadur Mahto, son of Late Laltun Mahto, resident of Village-
Laxmanpur, Ward no.-16, Nagar Parishad Benipur, District-Darbhangha.
... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Darbhanga.
2. The Sub- Divisional Officer, Benipur, District- Darbhanga.
3. The Deputy Collector, Land Reforms, Benipur, District- Darbhanga.
4. The Circle Officer, Benipur, District- Darbhanga.
5. Ramanand Yadav, son of late Nagar Yadav, resident of Village- Laxmanpur,
Ward no.-16, Nagar Parishad Benipur, District- Darbhanga.
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto, Advocate
For the Respondent/s : Government Pleader-11

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the parties.

2. This writ application has been filed for “*issuance of an appropriate writ(s), order(s), direction(s) to the Respondents for demarcating the land being old Khata No.143, old Plot no.614, total area 13 decimal which is ancestral properties of the petitioner and only 7 dhur had been sold by petitioner grand father and rest are available and petitioner has been cultivating on that very land which is situated at the village Laxmanpur Ward No.16, Nagar Parishad Benipur, District- Darbhanga and Khatiyan has made in favour of petitioner and mutation has made and till today rent receipt has got by the petitioner but in*



the meantime adjoining raiyat respondent no.5 has made hindrance and some part of the land has been made captured by them due to that reason apprehension has made breach of peace, so, demarcation is necessary for the above mentioned land for the petitioner and petitioner has deposited the cost of demarcation in the year 2012 and till today same has not been done and petitioner has filed several representations before concern authorities which is pending till today and after demarcation further give the direction to give the possession of the petitioner.”

3. Learned counsel for the petitioner has submitted that the petitioner had filed a case before the DCLR, Benipur, Darbhanga, vide Land Dispute Case No.02 of 2012-2013, and the DCLR, Benipur, Darbhanga, after hearing the parties vide order dated 06.06.2012 directed for measurement of the land of the petitioner bearing CS Khata No.143, Plot No.614 admeasuring total areas 13 decimal situated in village-Laxmanpur, Ward No.16 under Nagar Parishad, Benipur, Darbhanga. The DCLR, Benipur, Darbhanga, directed the petitioner to file application along with a copy of the order dated 06.06.2012 before the Circle Officer, Benipur, for compliance of the said order. Accordingly, the petitioner filed an application



and deposited measurement fee of Rs.800/- on 27.11.2012 for which receipt was given to the petitioner vide Annexure-P/2 and since then the matter is pending. The Circle Officer has not taken any action despite several representations filed by the petitioner and even initiation of any proceeding for measurement has not been started.

4. Having regard to the facts and circumstances of the case, the Circle Officer, Benipur, Darbhanga (respondent no.4) is directed to complete the measurement of the land of the petitioner in terms of the order dated 06.06.2012 passed by the DCLR, Benipur, Darbhanga, positively within a period of six weeks from the date of receipt/production of a copy of this order.

5. The writ application stands disposed of with the aforesaid observation.

(Khatim Reza, J)

J. Alam/-

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