

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8925 of 2019

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Ganeshi Rishidev Son of Late Soman Rishidev, resident of Village- Patraha
Dihtola, P.O- Malidiha, P.S.- Barhara Kothi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Collector, Purnea.
3. The Additional Collector, Purnea.
4. The Sub-Divisional Officer, Purnea, District- Purnea.
5. The Deputy Collector, Land Reforms, Sadar Purnea, District- Purnea.
6. The Anchal Adhikari, Barhara Kothi, P.S.- Barhara Kothi, District- Purnea.
7. Shri Ram Kishore Singh, Son of Late Basudeo Singh, resident of Village Malladiha, P.S.- Barhara Kothi, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Yogendra Kumar, Advocate
For the State	:	Mr. Rishi Raj Sinha, SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 06-01-2026 Heard the parties.

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

“(a) a mandamus

*commanding/restraining the respondents from
not creating any obstruction/disturbances
regarding physical cultivating possession of the
petitioner over the land situated at Mauza
Pathraha, Thana no.174, Khata No.43 bearing
plot no. 636, 637, area 0.96 decimal under P.S.*



Bahrhar Kothi in the District of Purnea for which the petitioner was granted red card/Parwana under provisions of Bihar Land Reforms) (Fixation of Ceiling Area and Acquisition of Surplus Land Act, 1961 (hereinafter referred to the land in question) as the aforesaid land besides other plots of land were declared as surplus land and the same were acquainted by the respondent District Collector, under provision of section 15(i) of the Land Ceiling Act or alternatively if the respondent land holder went to retain the land in question under his own allotted Ceiling Units then issue direction to the respondent for issuing a fresh Parwana/red card in favour of the petitioner for another undisputed suitable plots of land which have been declared surplus in aforesaid land Ceiling Case and have been acquired by the respondent District Collector u/s 15(i) of the Ceiling Act but such plots have not been illegally transferred by the respondent land holder to any third persons.



*(b) any other writ/writs for granting
any other relief(s) for which the petitioner is
found entitled to in the facts and circumstances
of the present case”*

3. Learned counsel for the petitioner submits that in the changed circumstance when the landholder has retained the land, he is entitled to relocation.

4. Learned State counsel submits that if a proper petition is preferred, the same shall be considered/disposed of.

5. In that background, the writ petition is disposed of allowing the petitioner to approach the Collector, Purnea in next eight weeks with a proper petition and also will have to show that he is a bonafide landless person.

6. If such petition is preferred, after hearing the parties calling the report from Revenue Authorities, the Collector, Purnea shall be taking a decision at an earliest.

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

(Rajiv Roy, J)

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