

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8245 of 2024

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Ghanshyam Rishi Son of Jallo Rishi, Resident of - Chunapur, Aerodrome,
Ward No.- 13. P.S.- K.Nagar, District- Purnea, Pin Code- 854301.

... .. Petitioner/s

Versus

1. The State of Bihar Through The District Magistrate Purnea.
2. The District Magistrate, Purnea.
3. The Additional Collector, Purnea.
4. Sub - Divisional Public Grievance Redressal Officer, Purnea Sadar, District- Purnea.
5. The Circle Officer, K.Nagar, Purnea.
6. Md. Jahangir Son of- Late Azeez, Resident of- Adampur, P.S.- K.Nagar, District- Purnea.
7. Md. Ayub Son of- Late Azeez, Resident of- Adampur, P.S.- K.Nagar, District- Purnea.
8. Md. Imteyaz Son of- Late Azeez, Resident of- Adampur, P.S.- K.Nagar, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Akanksha Malviya, Advocate Ms. Shuchi Bharti, Advocate Mr. Akash Keshav, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, GP-7 Mrs. Manisha Singh, AC to GP-7 Ms. Mita Kumari , AC to GP-7
For the Pvt. Respondents:		Mr. Gyanand Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-04-2026 Heard Ms. Akanksha Malviya, learned counsel for the

petitioner, Mrs. Manisha Singh, AC to GP-7 and Mr. Gyanand

Roy, learned counsel representing the respondent nos. 6 to 8.

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

“I. For issuance of writ in the nature of

Mandamus or any other appropriate writ(s) or



order(s) or direction(s) commanding the respondent authority to restore the possession of the land bearing Mauza: - Gowasi, Thana No:- 121, Khata No:- 8, Khesra No. :- 78, Rakwa: 0.41 Decimal, and Khesra:- 79, Rakwa:-0.75 Decimal with the petitioner.

And/Or

II. Pass such order(s), Further Order(s) or Direction(s) as this Hon'ble Court may deem fit and proper in the interest of Justice under the facts and circumstances of the present Case.”

3. The matter relates to piece of land the details of which is/are as follows:

“Mauza: - Gowasi, Thana No:- 121, Khata No:- 8, Khesra No. :- 78, Rakwa: 0.41 Decimal, and Khesra:- 79, Rakwa:-0.75 Decimal.”

4. The claim of the petitioner is that he alongwith his brothers were allotted/settled, the aforesaid piece of land through a Settlement Case No. 34 of 1990-91 (Annexure-P/1 to the petition). However, later, the respondent nos. 6 to 8 forcibly dispossessed them which followed their petitions before appropriate respondents authorities and as no light came from the other side of the tunnel, the writ petition.



5. A counter-affidavit has come on behalf of the respondent no. 5 duly signed by the Circle Officer, K. Nagar, Purnea and the sum and substance of the said reply is/are that: the petitioner failed to approach the Revenue Authorities which include the Sub Divisional Officer, the Deputy Collector Land Reforms as also the Circle Officer.

6. Further, a red card delivery of Possession Case No. 01 of 2024-25 was initiated and vide an order dated 16.07.2024, enquiry report was sought for and as per the report, it is in possession of Sheikh Habib/heirs as 'Sikmidars' and petitioner never came in possession of the property. Thereafter, both the parties were directed to appear before the concerned Circle Officer, K. Nagar, Purnea on 27.08.2024.

7. The story stops at that place and there is no counter-affidavit filed by the State after 03.09.2024.

8. There is nothing on record to show that the Revenue Authorities looked into the matter and:

“(i) came to a conclusion so far as the present land is concerned;

(ii) in case, it came to the conclusion that the land is in possession of the Sikmidars, as recorded above, the step that has been taken to settle the undisputed land amongst other to the petitioner



herein.”

9. In that background, this Court allows the petitioner to approach the concerned Circle Officer, K. Nagar, Purnea who shall be taking immediate steps to look into the aforesaid facts, and thereafter, in case, comes to the conclusion that the petitioner/family members have to be allotted a different piece of land to take steps/make appropriate recommendation through the DCLR, Sadar, Purnea to the Sub Divisional Officer, Sadar, Purnea.

10. The entire process has to be completed in eight weeks and once the file reaches the table of the Sub Divisional Officer, Sadar, Purnea, he/she is duty bound to take a decision in next four weeks.

11. The aforesaid order/direction is given in the background of the fact that they have not yet taken any decision as learned counsel for the petitioner submits that after the aforesaid notice issued in the year 2024, no further information has come.

12. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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