

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1663 of 2025

In
Civil Writ Jurisdiction Case No.19221 of 2024

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Suresh Ram son of late Nandu Ram, resident of Village-Mogalkuan, Etwari Bazar, Biharsharif, P.O. Sohsarai (presently Biharsharif), P.S.-Sohsarai (presently - Biharsharif), District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-Cum-District Magistrate, Nalanda at Biharsharif namely Sri Shashank Subhankar.
2. Shashank Subhankar, Collector cum District Magistrate, Nalanda at Biharsharif.
3. Deepak Kumar Mishra, Additional Collector, Nalanda.
4. Satyendra Kumar Singh, Circle Officer, Biharsharif at Nalanda.
5. Bharat Soni, Superintendent of Police, Nalanda at Biharsharif.
6. Alakh Niranjana Yadav, Registrar, Revenue and Land Reforms Department, Nalanda at Biharsharif.
7. Bimla Devi, Wife of Late Suresh Chaudhary, Resident of Kagji Mohalla, near Taalab Ter, Post and P.S.-Biharsharif, District-Nalanda, PIN 803101.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Sinha
For the Opposite Party/s : Mr.Government Advocate 5

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 18-02-2026 The instant contempt petition is arising out of order dated 03.01.2025 passed in C.W.J.C. No. 19221 of 2024 and it reads as under:-

“ In the instant petition, petitioner has prayed for the following relief:

(i) For issuance of a direction to the respondent authority to consider the petition filed by the petitioner for measurement of the land where the petitioner's ancestor have purchased the land bearing Khata No.02,



Khesra No.1166, Thana No.119, Mauza Singarhaat, Zamabandi No.992. mohalla- Etwari Bazar, area 2 decimal within Biharsharif Circle in the district of Nalanda purchased vide Deed No. 895 dated 16.02.1942.

A copy of Sale Deed bearing Sale Deed No. 895 dated 16.02.1945 is annexed herewith and marked as Annexure-P/1 to this writ application

(ii) For issuance of a direction that the representation filed before the District Magistrate, Nalanda as well as Circle Officer, Biharsharif with regard to measurement of land may be considered under Rule 22 of the Senior Citizen Maintenance Act which has the following boundary:-

North Ashok Thakur

South Ganesjh Choudhary and Lakhan Tanti

East Sarmila Devi

West- Niz.

(iii) For any other relief/reliefs to which the petitioner is found entitled to, may be granted to the petitioner.

2. Learned counsel for the petitioner has submitted that he has made his grievance before Circle Officer, Biharsharif, Nalanda through representation dated 09.06.2022 and receipt of the same is annexed as annexure P/2 but till date no effective order has been passed by the concerned Circle Officer. The concerned Circle Officer has slept over the matter for more than two years and being a public officer he has forgotten his duty to



act which is the obligation of the public officer that he has to pass reasonable order while deciding the fate of the land in question but same has been lacking in the present case. Learned counsel submits that the Circle Officer has not decided the measurement of the land case up-till now.

3. Learned counsel on behalf of the State has submitted that if petitioner represent his grievance afresh, the same shall be looked into by the concerned authority.

4. The sole thrust of the petitioner is the measurement of the land in question and he has sought limited relief for the measurement of the said land.

5. Considering the facts and circumstances of the case, it is evident that the present Circle Officer has not acted upon the grievance of the measurement up-till now as raised by the petitioner in his representation. Accordingly, Circle Officer, Biharsharif, Nalanda is hereby directed to consider and take appropriate action in the light of grievance raised by the petitioner in his representation after giving him due opportunity, expeditiously preferably within a period of six weeks from the date of receipt of this order.”

2. Learned counsel for the petitioner submits that vide order dated 03.01.2025 passed by this court in C.W.J.C. No. 19221/2024 a direction was given to the Circle Officer, Nalanda at Biharsharif (respondent-Opposite Party no.4) to consider and take appropriate action in the light of grievance raised by the petitioner in his representation after giving him



due opportunity, expeditiously preferably within a period of six weeks from the date of receipt of the order. He further submits that till date no measurement has been done by the Circle Officer-Opposite Party no.4 in pursuance of the said order passed by this Court. He further submits that after the order passed by this Court, the petitioner has filed an application along with the order of this Court before the Circle Officer, Biharsharif, Nalanda on 31.01.2025 and the concerned opposite party, after receiving the said application, took no action in response to the same.

3. Learned counsel for the State submits that the grievance of the petitioner has already been redressed and he has also stated in para 6 of the show cause dated 26.06.2025 filed on behalf of respondent nos. 2 to 4 that the land of the petitioner bearing Khata no. 02, Khesra No. 1166 has been measured by the Anchal Amin on 13.06.2025 and Measurement Report and Najari Naksha dated 13.06.2025 submitted by the Anchal Amin indicate that the house of the petitioner has been constructed over part of the land in question to the extent of 1.97 decimal and towards east of his house, a boundary wall has been constructed by the private O.P. no.7 and both the parties are making claim over part of the land in question covered with



boundary wall.

4. In the light of the aforesaid, it is evident that the grievances of the petitioner has already been redressed and the direction given by this Court has already been complied.

5. Considering all the aspects of the matter, the present contempt petition stands disposed of with liberty to the petitioner that if the petitioner has any grievance with regard to the fresh cause of action, he may approach the appropriate forum.

(Alok Kumar Pandey, J)

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