

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9734 of 2026

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Ashok Kumar Rai Son of Late Madhuri Rai, Resident of Village-Chand
Suraari, P.O.-Chora Tabhka, P.S.-Vibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Deputy Collector Land Reforms, Rosera, District-Samastipur.
5. The Circle Officer, Vibhutipur, District-Samastipur.
6. Parmanand Rai, Son of Late Ram Chalitar Rai, Village Chand Surari, P.S. Vibhutipur, District Samastipur.
7. Ram Babu Rai, Son of Late Chaudhary Rai, Village Chand Surari, P.S. Vibhutipur, District Samastipur.
8. Deep Narayan Rai @ Deep Narayan Rai, Son of Late Ram Bilas Rai @ Bholai Rai, Village Chand Surari, P.S. Vibhutipur, District Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar Pandey, Adv. Mr. Prakash Raj, Adv. Mr. Akash Hari, Adv.
For the Respondent/s	:	Mr. Anjaneya Singh, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 06-07-2026 Heard the learned counsel for the parties.

2. By filing the present writ application, the learned
counsel for the petitioner has prayed for issuance of writ in the
nature of mandamus directing the respondent Circle Officer,
Vibhutipur, District Samastipur to implement and comply the



order dated 13.03.2026 passed by D.C.L.R., Rosera in BLDRA Case No. 14/2024-25, whereby a direction was given to the Circle Officer, Vibhutipur to get the disputed land measured and demarcated.

3. The grievance of the petitioner is that in spite of the order passed by the D.C.L.R., the competent authority, the Circle Officer, Vibhutipur is sitting tight over the matter and not discharging his legal duty in terms of the direction so issued by the superior authority.

4. The learned counsel appearing on behalf of the State submits that the High Court cannot be allowed to be turned into an executing Court of the order passed by the D.C.L.R. The petitioner should have approached the higher administrative authority in the district instead of directly coming to the High Court under writ jurisdiction.

5. Perusal of the documents annexed herewith the writ application and averments made therein reveal that under misconceived notion, petitioner has filed this writ application and in fact, has attempted to convert this Court into a Court of Execution to get the order of D.C.L.R. executed, a notion so fallacious, simply impermissible in the eyes of law.

6. However, at this stage, the learned counsel for the



petitioner prays for withdrawal of the writ application with liberty to approach the appropriate forum in order to get his grievances redressed.

7. Though this Court is not issuing any positive direction in the matter yet it is compelled to take note of the sordid state of affairs prevailing at the ground level where the order of superior authority like that of D.C.L.R. is not being complied with and executed by his subordinate officer, i.e., Circle Officer, Vibhutipur. This fact must be brought to the notice of the District Magistrate of Samastipur, who could have seen the matter and issued necessary directions throughout his jurisdiction, that the order of superior authority has to be complied with in accordance with law.

8. With the aforesaid observation, the learned counsel for the petitioner is accorded a permission to file a proper application before the District Magistrate-cum-Collector, Samastipur, highlighting his grievances thereupon the Collector, Samastipur shall pass necessary orders to the authorities concerned in the matter within four weeks from the date of receipt of a copy of this order along with a representation so filed by the petitioner.

9. This writ application stands disposed of.



10. All pending interlocutory application(s), if any,
stand/s disposed off.

(Rana Vikram Singh, J)

Rupa/
Supratim-

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