

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10136 of 2026

Ashok Kumar Gautam alias Ashok Kumar Bhagat S/o Late Surendra Bhagat
alias Surendra Prasad Bhagat, R/o Village and P.O.- Belhar, P.S. Belhar,
District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms
Department, Bihar at Patna.
2. The Divisional Commissioner, Bhagalpur.
3. The Director General of Police, Bihar at Patna.
4. The District Magistrate, Banka.
5. The Deputy Collector of Land Reforms, Banka.
6. The Circle Officer, Belhar, District- Banka.
7. Siyaram Yadav, S/o Kamal Yadav, R/o village- Sarsadda, P.O. and P.S.
Belhar, District- Banka.
8. Doman Yadav, s/o Kamal Yadav, R/o village- Sarsadda, P.O. and P.S. Belhar,
District- Banka.
9. Lakhan Yadav, S/o Kamal Yadav, R/o village- Sarsadda, P.O. and P.S.
Belhar, District- Banka.
10. Rambalak Yadav, s/o Kamal Yadav, R/o village- Sarsadda, P.O. and P.S.
Belhar, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ravish Mishra, Advocate
For the Respondent/s	:	Mr.Nagendra Prasad Yadav, SC-23
		Mr. Ranjeet Kumar, AC to SC-23

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-07-2026 Heard Mr. Ravish Mishra, learned counsel for the
petitioner and Mr.Nagendra Prasad Yadav, learned SC-23.

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

*(i) for issuance of writ in the nature of
nature of Mandamus for commanding the*



Respondents (specially Respondent No. 6), so that immediate and pro-active steps are taken from his side for complying the order dated 23.01.26, passed in BLDRA Case No. 109/2024-25, passed by the Respondent No. 5, by which the said Respondent was directed to measure the land of the petitioner, and initiate Demarcation/ Delimitation exercise in relation to his boundaries; That the aforesaid case was initiated at the instance of the petitioner for the criminal and illegal acts committed by the private Respondents in relation to his land situated in Mauza -Sarsadda, having Thana No.39, Old Khata Nos. 63, New Khata No. 206/209, Old Khesra Nos. 326/438/331/332/336/415, New Corresponding Khesra Nos. 608/386/613/387/795/461, and measuring about 2 acres and 43.5 decimals. That at this juncture the petitioner would like to reiterate herein that the private 'Respondents in



question all in active and joint collusion with each have tried to usurp his land, and have also created encroachment, hindrances and bottlenecks on the same;

(ii) for commanding the Respondent No. 3, to ensure that the Life and Liberty of the petitioner and his property in question is protected from the hands of the private Respondents;

(iii) for also seeking explanation from the respondents as to the reasons which have prevented them from sitting idle and non effusive on the representations made by the petitioner to them;

(iv) for any other reliefs which the Hon'ble High Court thinks fit and proper in the circumstances of this case.

3. The details of the land in question has already been incorporated in para-1 of the petition and need no repetition.

4. The respondent, Deputy Collector, Land Reforms, Banka in **BLDR Case No. 109 of 2024-25 (Ashok Kumar Bhagat vs. Siyaram Yadav)** directed the Circle Officer, Belhar



to ensure measurement of the land in question. This order was passed on 23.01.2026.

5. Learned counsel for the petitioner submits that when he approached the concerned office (Circle Office,Belhar, Banka), he refused to accept the petition and as such was forced to send it through 'Speed Post' on 10.03.2026 (Annexure-P/3 to the petition).

6. The submission is that when he failed to act/issue notice and/or take steps for measurement of the land, right from the Divisional Commissioner to the Deputy Collector, Land Reforms, everyone were informed but without any reply which forced him to file the present petition.

7. Learned State counsel submits that if not disposed of, it will be taken to its conclusion at an earliest. He further submits that since the petition was sent through 'Speed Post', it would be appropriate that the petitioner files a fresh petition annexing the order of the Deputy Collector, Land Reforms, Banka passed in BLDR Case No. 109 of 2024-25.

8. In view of the fair submissions put forward by the parties, the writ petition is disposed of directing the petitioner to prefer a fresh petition before the concerned authority within a period of four weeks who shall be disposing it of in next two



months.

9. This order has been passed taking into account that the C.O., Belhar has not acted in the matter and if already steps have been taken in line with the direction of the D.C.L.R., Banka, no further steps be taken.

10. It is made clear that if the C.O., Belhar fails to act in the matter within the time frame granted by the Patna High Court, if it comes to the notice of the Court as when the petitioner files a petition, an adverse order is expected.

11. The writ petition is disposed of.

(Rajiv Roy, J)

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