

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17822 of 2021

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1. Prithvi Nath Sharma Son of Late Loku Sharma Resident of Village - Baurai, P.S. - Chainpur, District- Kaimur at Bhabua.
 2. Devakali Devi Wife of Prithvi Nath Sharma Resident of Village - Baurai, P.S. - chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Revenue, Govt. of Bihar, Patna.
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. The Deputy Collector of Land Reforms, Bhabua, District- Kaimur at Bhabua.
4. The Circle Officer, Chainpur, Anchal Chainpur, District - Kaimur at Bhabua.
5. Murahu Bind Son of Sudhu Bind Resident of Village - Baurai, P.S. - Chainpur, District- Kaimur at Bhabua.
6. Basmati Devi Wife of Murahu Bind Resident of Village - Baurai, P.S. - Chainpur, District- Kaimur at Bhabua.
7. Rampravesh Bind Son of Murahu Bind Resident of Village - Baurai, P.S. - Chainpur, District- Kaimur at Bhabua.
8. Ramawatar Bind Son of Murahu Bind Resident of Village - Baurai, P.S. - Chainpur, District- Kaimur at Bhabua.
9. Sriram Bind Son of Murahu Bind Resident of Village - Baurai, P.S. - Chainpur, District- Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Respondent/s : Mr. Viveka Nand Singh, AC to GP 18

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-02-2026 Heard Mr. Rajani Kant Pandey, learned counsel appearing on behalf of the petitioners and Mr. Viveka Nand Singh, learned AC to GP 18 for the State.

2. The petitioners in paragraph no. 1 of the present writ petition have sought *inter alia* the following relief(s), which



is reproduced hereinafter:-

“1. That this writ petition is being preferred on behalf of petitioner for issuance of a writ, order or direction including a writ in the nature of mandamus commanding to the respondent no. 2 to take appropriate action against the respondents no. 5 (Circle Officer) along with 6 to 9 and may be directed to the respondent no. 2 to call for the entire records i. e registered 2 relates to the Khata No. 22, Plot No. 219/553, Mauja Khairadih, Anchal Chainpur, Revenue Thana No. 337 along with Jamabandi records and after proper verification, the suitable order be pass for ends of justice and/or pass appropriate order which the petitioner is entitled and/or pass other and further order which this Hon'ble court may deem fit and proper under circumstances of the case.”

3. Learned counsel appearing on behalf of petitioners submitted that the petitioners have already filed a detailed representation before the District Magistrate – cum – Collector, Kaimur, Bhabua on 07.08.2021 and the same has not been entertained till date and seeks to file a fresh representation before the District Magistrate – cum – Collector for redressal of the grievances of the petitioners for the relief(s) as prayed for in the present writ petition, in accordance with law.

4. Considering the aforesaid information, the District Magistrate – cum – Collector, Kaimur, Bhabua is directed to call for the records appertaining to Khata No. 22, Plot No. 219/553, Mauja Khairadih, Anchal Chainpur, Revenue Thana No. 337 and take appropriate action against the Circle Officer concerned if it is found that he has intentionally tried to disposes the petitioners, who claims their right on the basis of sale deed



dated 30.04.1994 (Annexure 5) and if it is found that it is a question of title between the parties then the District Magistrate – cum – Collector must restrain from taking any action because in such circumstances the only remedy for determination of title lies before the competent Civil Court having jurisdiction.

5. Accordingly, the present application stands disposed of.

6. Interlocutory Application(s), if any, also stands disposed of.

(Purnendu Singh, J)

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