

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6044 of 2017

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1. Hawaldar Singh S/o Late Barhu Singh
 2. Baban Singh
 3. Lalan Singh Both Sons of Late Telhu Singh All R/o Village P.O. P.S. Ramgarh, District Kaimur.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. District Magistrate, Kaimur Bhabhua.
3. District Programme Officer, Kaimur Bhabhua.
4. Additional Collector, Kaimur Bhabhua.
5. S.D.O. Mohania, Kaimur Bhabhua.
6. D.C.L.R. Barh, District Patna.
7. Block Development Officer, Belchhi, P.S. Belchhi, District Patna.
8. Anchal Adhikari, Ramgarh, Kaimur Bhabhua.
9. Thanadhyaksh, Ramgarh, Kaimur Bhabhua.
10. Mukhiya, Gram Panchayat Raj, Ramgarh, P.S. Ramgarh, District Kaimur Bhabhua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Advocate
For the Respondent/s : Mr. Sajid Salim Khan -SC-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 06-01-2026 Heard the parties.

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

*“for issuance of a writ / order /
directions to the respondents not to dig Pokhar in
R.S. Plot no. 166 appertaining to R.s. Khata no.
346 area 73 dec. which is situate in Village*



Ramgarh, P.s. Ramgarh, Revenue P.s. no. 214, District Kaimur as same is his raiyati land which is the source of their livelihood and as yet not a single inch of the aforesaid plot has been acquired by the State of Bihar till date.”

3. This case is a best example of how the State Government Officials functions on ground zero.

4. The petitioner claims to own a piece of land [(**R.S. Plot No. 166, Khata No. 346 (area 0.73 decimal)** in the village and circle – **Ramgarh** in the **district of Kaimur**]. The matter went before the Consolidation Officer, Rohtas (now Kaimur) wherein it was recorded in the name of the petitioner no. 1, Hawaldar Singh. The State of Bihar claimed it as its own land and after the order passed by the Consolidation Officer, Ramgarh dated 16.05.1988 in Consolidation Case No. 397/1986-87, Consolidation Appeal No. 708/1988-89 was preferred. It was dismissed in the year 1992.

5. Learned counsel for the petitioner submits that Consolidation Case No. 24/2013-14 was preferred which came to be disposed of on 19.10.2016. The State thereafter went in appeal in **Consolidation Appeal No. 64 of 2017-18** before the learned Deputy Director of Consolidation, Rohtas and Kaimur



at Sasaram which came to be dismissed on **12.06.2018** (Annexure-P/7).

6. The Deputy Director, Consolidation held that the disputed land is a *raiya* one of the petitioners having their peaceful physical possession as informed by the Consolidation Officer/Circle Officer, Ramgarh.

7. The facts were placed before this Court firstly on 03.11.2025 and in continuation on 09.12.2025 and in that background, the Court wanted the respondents to file reply as to:

“(i) whether the order of the Deputy Director, Consolidation, Rohtas at Sasaram in Consolidation Appeal No. 64 of 2017-18 (State of Bihar vs. Hawaldar Singh & Ors.) has been challenged or not;

(ii) if the same has not been challenged, the steps that the State intends to take.”

8. After two adjournments, finally the State Government has come with the affidavit, according to which, they have preferred **Chakbandi Revision Case No. 123 of 2025** (after the orders passed by this Court), seven years later, before the **Court of Director Consolidation, Bihar, Patna** (Annexure-A to the petition). Learned counsel for the petitioners submit



that it is only to delay the process and to prevent the petitioners from allowing the fruits of the order passed by the appellate Court.

9. The further submission is that after filing the Revision Petition, the State is not appearing and only delaying the proceeding.

10. Learned State counsel submits that now that the revision petition has been filed, they shall be taking it up diligently and shall ensure that without unnecessary delay, the same comes to a logical conclusion.

11. Learned counsel for the petitioners submits that since they have delayed filing of the revision and an appellate order has come in their favour in the year 2018 itself, status quo as existing today be allowed till the revision petition is disposed of.

12. The submission seems to be justified, the State cannot ignore that an order came to be passed in the year 2018. They chose not to challenge the same/file any revision petition and it was only after the nudge of this Court on 03.11.2025 that they wake up from the deep slumber and have now filed revision petition and as per the learned counsel for the petitioner, are not even appearing.



13. In that background, till the pendency of the Revision Petition (**Chakbandi Revision Case No. 123 of 2025**), the status quo with regard to the land in question shall be maintained.

14. The writ petition stands disposed of directing the Revisional Authority to take up the matter (Revision petition) to its logical conclusion at an earliest.

(Rajiv Roy, J)

Adnan/-

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