

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17412 of 2023

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Sawal Ram Drolia Son of Late Nandlal Droliya @ Nandlal Marwari, Resident of Village- Faridabad, Purani Bazar, Lakhisarai, P.S. and District Lakhisarai. At present Resident of Flat No. 307, Mahima Place, Govind Mitra Road, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Additional Chief Secretary, Govt. of Bihar, Patna.
3. The Collector, Lakhisarai.
4. The Additional Collector, Lakhisarai.
5. The Deputy Collector Land Reform, Lakhisarai.
6. The Sub-Divisional Officer, Lakhisarai.
7. The Circle Officer, Lakhisarai.
8. I.T. Manager, Revenue and Land Reform Department, Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Adv.
For the Respondent/s : Mr. Birendra Pd. Singh, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 17-03-2026 Heard Mr. Hari Kishore Thakur, learned counsel for the petitioner and Mr. B.P. Singh representing the State.

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

(i) for issuance of appropriate writ in the nature of mandamus commanding and directing the Respondent authorities to rectify/mention the Khata number and Plot number in Jamabandi No. 94 and Rent Receipt issued in the name of father of the



petitioner namely Nandlal Marwari as the petitioner having right title and possession over the land in question.

(ii) For further direction to the Respondent authorities to dispose of the representation of the petitioner by reasoned and speaking order within time framed.

(iii) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.

3. The case of the petitioner is that earlier, the land belonged to one Khado and Musho, son of Kanhai which was auctioned in the year 1932 and Mukti Ram Marwari who is the great grandfather of the petitioner, purchased the land in auction and came in possession. The name of the father of the petitioner, Nandlal Marwari has also been recorded in Register-II with Jamabandi No.- 94.

4. The submission is that the khata and khesra nos. in the rent receipt has been shown to be zero which need correction and further contention is that after petitioning all the revenue authorities upto the Collector, Lakhisarai and as there was no response, the writ petition.

5. A counter affidavit has come on behalf of the respondents duly signed by the Circle Officer, Sadar, Lakhisarai and learned State Counsel has taken this Court to paragraph 8



and 12 which read as under:

8. *That there is no any substantial question as framed in para 2 of writ petition are involved in the writ in hand. It is most humbly submitted that in view of settle procedural principle that when a thing is to be done in a particular manner; it should be done in that manner or not at all. The petitioner without any documents presented an application for modification/rectification of jamabandi no. 94 in khata, khesra Chauhaddi and Rakba on 07.02.2021 although the petitioner should have to submit the required documents such as self-attested copy of Order of mutation case, self-attested copy of Correction Slip, self-attested copy of Bhu-Lagaan Receipt, self-attested copy of latest Final Khatiyani (CS/RS) self-declaration in desired format.*

12. *That the statements made in para 6 of writ petition is not correct hence denied. From perusing the online Jamabandi no. 94 it will transpires that firstly the rent has been paid since 1955-56 to 2018-19 on vide 24.10.2018 receipt no. 0913970996. Hence it is absolutely incorrect to say that the father of the petitioner had paid rent to the State of Bihar and Rent receipt had been issued on 16.03.1956. The Annexure-P/2 is a The manufactured document.*

6. Though there is denial in the rejoinder of the petitioner, taking note of the fact that the rent receipt has been



issued in the year 2018 for the period 1955 to 2018 and lots of names have already been registered in between and there are cases also pending before Competent Authorities/ Court, it would be appropriate that the Collector, Lakhisarai (respondent no. 3) enquires into the matter and pass a reasoned order thereafter.

7. Needless to add, responsibilities have to be fixed and if it is found that the petitioner has played mischief, appropriate civil/ criminal consequences must follow.

8. Learned counsel for the petitioner prays for and is allowed to approach the Collector, Lakhisarai (respondent no. 3) in next eight weeks along with all the relevant documents who shall be looking into the case, calling for report from the revenue authorities and take the matter to its logical conclusion at an earliest.

9. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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