

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.595 of 2024

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Ram Prasad Sharma Son of Late Maya Sharma, resident of Village - Rampur Babu, P.O. - Balthari, P.S. - Kuchaikote, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Collector-cum-District Magistrate, Gopalganj.
3. The Additional Collector (Revenue), Gopalganj.
4. The Land Reforms Deputy Collector, Gopalganj.
5. The Sub Divisional Officer, Gopalganj.
6. The Circle Officer, Kuchaikote Anchal, District Gopalganj.
7. Shiv Narayan Pandey, Son of Late Chanchal Pandey, Resident of Village - Rampur Babu, P.S.- Kuchaikote, P.O. - Balthari, District - Gopalganj.
8. Janardan Pandey @ Chhota Pandey, son of Alakh Pandey, Resident of Village - Rampur Babu, P.S.- Kuchaikote, P.O. - Balthari, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shiv Sager Sharma, Adv.
For the Respondent/s	:	Mr. S.K. Mandal (Sc3)
		Mr. Arjun Prasad, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-04-2026 Heard the parties.

2. The present application has been preferred:

*for issuance of writ, order or
direction particularly in the nature of
Mandamus, directing the respondent
authorities, specially respondent no. 5 & 6,
the Sub. Divisional Officer, Gopalganj and
the Circle Officer, Kuchaikote to get
measurement of the land through Anchal
Amin appertaining to Khata No. 79, Khesra*



No. 22, area 42 decimal situated in Mauza: Balthari, P.S: Kuchaikote, District: Gopalganj and after proper measurement hand over the possession of the same to the petitioner, as the same is the Maurasi land of the petitioner; And/Or grant any other relief/reliefs to which this Hon'ble Court may deem fit and proper.

3. The petitioner claims to be the owner of a piece of land under Thana No.- 692, Tauzi No. 3296, Khata No.- 79, Khesra No.- 22, area- 44 and the grievance is that on his *raiyati* land, a road has been forcefully constructed by the Zila Parishad without making any payment. A counter affidavit has come on behalf of the respondent nos. 2 to 6 duly signed by the Circle Officer, Kuchaikote, Gopalganj and served upon learned counsel for the petitioner on 23.10.2024 and paragraph 11 read as follows:

11. That the statement made in Para-5 of the writ petition it is submitted that village Path was in existence through plot no. 22 for more than 50 years, which taken by the villagers to construct a pucca Road. The Petitioner had earlier filed a petition to get measurement of the land on which the then Circle Officer had called for report from Halka Karamchari.

4. There is no rebuttal to the said statement made by



the State respondent showing that for fifty years, the village path is being used. Worse, the allegation is that the land has been used by Zila Parishad for construction of road but the Zila Parishad is not in the list of respondents.

5. In that background, no relief can be extended to the petitioner.

6. The writ petition is dismissed.

(Rajiv Roy, J)

Vijay Singh/-

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