

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.170 of 2026

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Avdhesh Kumar Son of Late Shanichar Bhagat, Resident of Village-Kalyanpur, P.S.-Fatua, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reform and Revenue Department, Government of Bihar, Patna.
2. The Secretary, Land Reform and Revenue Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna.
4. The Collector cum District Magistrate, Patna.
5. The Additional Collector, Patna.
6. The Deputy Collector, Land Reforms, Patna City, District-Patna.
7. The Sub Divisional Officer, Patna City, Patna.
8. The Circle Officer, Fatua, Patna.
9. Rambali Rai, son of Late Rambhajan Gope, Resident of Village-Kalyanpur, P.S.-Fatua, District-Patna.
10. Dinesh Kumar, Son of Late Shanichar Bhagat, Resident of Village-Kalyanpur, P.S.-Fatua, District-Patna.
11. Krishna Kumar, Son of Late Shanichar Bhagat, Resident of Village-Kalyanpur, P.S.-Fatua, District-Patna.
12. Santosh Kumar, Son of Late Ram Ikabal Yadav, Resident of Village-Kalayanpur, P.S.-Fatua, District-Patna.
13. Kaushalya Sharma, Wife of Rambhajan Rai, Resident of Village-Sorakhothi, P.S.-Fatua, District-Patna.
14. Asha Kumari, Wife of Avadh Kishore Prasad, Resident of Village-Sorakhothi, P.S.-Fatua, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
	:	Mr. Umesh Kumar Gupta, Advocate
For the State	:	Mrs. Archana Meenakshee, GP-6
	:	Mr. Rana Veer Prawar, AC to GP-6

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-01-2026 Mr. Pankaj Kumar, learned counsel for the petitioner

undertakes to remove the defect as pointed out by the office.



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

“(i) for issuance of an appropriate writ/s, order/s, direction/s in the nature of Certiorari for quashing of order dated 21.11.2021 passed by the Respondent No. 06 passed in Mutation Appeal Case No. 31/2020-21 whereby and under the Respondent No. 06 dismissed the Mutation Appeal Case No. 31/2020-21 on the ground that the petitioner and his ancestor have not produces a valid documents and evidence in support of their case.

(ii) for issuance of an appropriate writ/s, order/s, direction/s to the Respondent to restrain the private Respondent/respondent 2nd set who are interfering in peaceful possession over the land of the petitioner on the ground that the said land was sold to him by Rakesh Kumar, who is vendee of co-sharer of the petitioner in fact the original vendee of the aforesaid land has already sold more land than fell in their share and now their vendees are creating hurdle in



construction of residential house of the petitioner on the land situated in Mazaa-Mirjapur Nauhat, Halka No. 16, Thana No. 20, Khata No. 120 Khesra No. 449 admeasuring about 5 decimal, Which is Raiyti land and was given in the share of father of the petitioner, upon which he has been living peacefully for a long period.

(iii) for issuance of an appropriate writ/s, order/s, direction/s to the Respondents No. 08 to create a Jamabandi in favor of the petitioner that after hand over the possession over the said land after demarcation so that quietus may be given to the dispute arisen between the petitioner and respondents 2nd set.

(iv) to pass such other order/orders as your lordships may deem fit and proper in facts and circumstances of the case.”

3. With the consent of the parties, the writ petition has been taken up and learned counsel for the petitioner submits that it will suffice if the fresh petition to be filed before the respondent no.3, the Divisional Commissioner, Patna, is



disposed of.

4. The State has no objection.

5. In that background, the writ petition is disposed of allowing the petitioner to approach the respondent no.3, the Divisional Commissioner, Patna in next four weeks, who shall be issuing notices to the parties and shall be taking the matter to its logical conclusion at an earliest.

(Rajiv Roy, J)

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