

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21065 of 2025

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1. Rita Kumari @ Anita Kumari wife of Surendra Prasad @Surendra Kumar resident of mohalla- near Kamdhenu Hotel, P.O. and P.S. - Kadamkuan, Patna 800003.
 2. Baijnath Singh, son of late Ram Autar Singh, resident of Allahibagh, PO. Bairiya, P.S. - Gaurichak present thana - Sampatchak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector, Patna.
3. The Sub-Divisional Officer, Patna Sadar, Patna.
4. The Circle Officer, Sampatchak, Patna.
5. The Superintendent of Police, Patna.
6. The In-charge, Gopalpur P.S. (Now Sampatchak PS), District- Patna.
7. Munna Rai @ Munna Prasad, son of late Ramdeo Rai, resident of village- Sirpatpur, P.S. Gopalpur (Now Sampatchak), District-Patna.
8. Mithilesh Rai, son of late Ramdeo Rai, resident of village- Sirpatpur, P.S. Gopalpur (Now Sampatchak), District- Patna.
9. Jitendra Kumar, son of Pancham Rai, resident of village- Udayani, P.S. patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Prasad, Advocate. Mr. Ajit Kumar Sinha, Advocate.
For the State	:	Mr. Birju Prasad, GP-13. Mrs. Shweta Anand, AC to GP-13.
For the respondent no.9	:	Mr. Rajiv Prashant, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 20-01-2026

Heard learned counsel appearing on behalf of the
petitioners; learned counsel for the State and learned counsel for
the respondent no.9

2. The present writ petition was heard on
19.01.2026 and at the request of Mr. Birju Prasad, learned



counsel appearing on behalf of the State and Mr. Rajiv Prashant, learned counsel appearing on behalf of the respondent no.9 that a day accommodation is required who had objected to the relief as prayed for in the present writ petition, which are as under:

“(i) For issuance of a direction to the respondent No.4, the Circle Officer, Sampatchak Circle for measurement of land of the petitioners pertaining the Khata No.160, Khesra No.1566 and 1567 as well as Khata No.160, Plot No. 1586 and 1587 having total area 23.875 decimal bounded as:-

North - Plot No.1586

South- Pyne

East - Plot No.1591

West - Plot No.1587 (Part).

(ii) For issuance of a direction that the petition filed by the petitioners online as well as registered post which has not been considered by the respondent authority without assigning any reason which is contained in Annexure-P/4.

(iii) For a direction to the respondent authority to give benefit of senior citizen to the petitioner under Senior Citizen Act.”

3. Mr. Birju Prasad, learned counsel appearing on behalf of the State informs that a detailed report has been communicated to him today by the Anchal Amin in respect of the measurement of Khata No. 160, Khesra Nos. 1586 and 1587, total area 21.875 decimal, situated at Sampatchak, Bairiya, Patna. The Anchal Amin has informed that upon measurement, total area in respect of Plot No. 1586 is 14 decimal over which a double storied building is standing which is claimed by one Gyanti Devi, W/o Jitendra Kumar, resident of village – Udayani, Patna and total area in respect of Plot No. 1587 is 7.125 decimal and no name has been given in respect of the occupier, however,



out of 7.125 decimal of total area of the said Plot No. 1587, 0.75 decimal is occupied by one Ramnath Prasad, S/o late Faudari Das and Bebi Devi, wife of Sanjay Sao, who have pakka house over the said piece of land. It has also been informed that the petitioner remained absent at the time of measurement. A xerox copy of the report of the Anchal Amin is kept on the record.

4. Mr. Rajiv Prashant, learned counsel appearing on behalf of the respondent no.9 informs that he has received instruction that the total area of 7.125 decimal, out of the said two piece of land, stands in the name of the wife of the respondent no.9 over which they have double storied building in which they are living peacefully.

5. Mr. Ajay Prasad, learned counsel appearing on behalf of the petitioner submitted that the petitioner has entered into an agreement with one Suresh Rai and Jitendra Rai who had executed an agreement dated 10.03.2003 after receiving a sum of Rs. 2,99,500/- in respect of their share of land in light of the earlier sale deed executed on 06.07.2001. From the measurement of the Anchal Amin also, it appears that out of Plot No. 1587, only 0.75 decimal falls in the share of Ram Nath Prasad. Learned counsel, however, admits that Jamabandi No. 12 in respect of the share of the petitioner was created and the petitioner has been making payment of revenue rent and in that



respect he has also annexed rent receipt for financial year 2019-20 and subsequent to that no piece of paper has been produced.

6. Heard the parties.

7. In view of the dispute as has arisen after the measurement report of the Anchal Amin, I find that it would be in the interest of the respective parties that they may file their application before the Circle Officer, Sampatchak, Patna for determination of their respective part of land which are in their respective possession, then in that case, the Circle Officer is directed to proceed to refix the rent in accordance with law, if the same has not been fixed as per the proper measurement and possession of the respective parties.

8. In case, there is any dispute between the parties, they are at liberty to avail appropriate remedy for determination of their title by a competent civil court having jurisdiction.

9. The writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.01.2026
Transmission Date	N.A.

