

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2946 of 2026

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Nagendra Sahani Son of Late Dukha Sahani, Resident of Village-
Madhuchapra, P.O.- Jamuna, Police Station- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Water Resources, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. The Additional Chief Secretary, Department of General Administration, Government of Bihar, Patna.
5. The Joint Secretary, Department of Water Resources Government of Bihar, Patna.
6. The Collector-cum-District Magistrate, Sitamarhi.
7. The Superintendent of Police, Sitamarhi.
8. The Sub-Divisional Officer, Sadar, Sitamarhi.
9. The Deputy Collector Land Reforms, Sadar, Sitamarhi.
10. The Circle Officer, Bairgania, District- Sitamarhi.
11. The Executive Engineer, Bagmati Project-cum-Rehabilitation Officer, Bagmati Project, Sitamarhi.
12. The Sub Divisional Officer, Baghmata Sub Division No.4, Bagmati Nagar, Sitamarhi.
13. The Station House Officer, Police Station- Bairgania, District- Sitamarhi.
14. Jai Kishor Prasad, Son of Late Jagat Narayan Prasad @ Jagat Narayan Sah, Resident of Mohalla- Nuniya Toli, Main Road, Near of Mandal Nagar, Ward No.5, Chakmahita, Police Station and District- Sitamarhi.
15. Hari Kishore Prasad, Son of Late Jagat Narayan Prasad @ Jagat Narayan Sah, Resident of Mohalla- Nuniya Toli, Main Road, Near of Mandal Nagar, Ward No.5, Chakmahita, Police Station and District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Adv.
For the Respondent/s : Mr. Standing Counsel (16)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 27-04-2026

Heard the parties.

2. The present application has been preferred for the



following relief(s):

(i) for issuance of an appropriate writ for quashing the purcha dated 1982/ 27.04.1982 thereunder alleged to be allotted 21 decimals land bearing Plot (Chak) No. 60 and 61 of Khesra No. 3764 under Khata No. 319 situated at MauzaJamua, Thana No. 84, District Sitamarhi in the year 1978 for rehabilitation in favour of father of respondent No. 14 and 15 namely Jagat Narayan Prasad @ Jagat Narayan Sah being head of displaced family of Bagmati Project by the Sub Divisional Officer, Bagmati Project, Sitamarhi.

(ii) For issuance of an appropriate writ for quashing the letter No. 1231 dated 24.09.2025 (Annexure-P/16) issued by the respondent Circle Officer, Bairgania, Sitamarhi thereunder held that the purcha of the land bearing Plot No. 3764 under Khata No. 319 of MauzaJamua Thana No. 84 a5rea 10 decimals is issued without enquiry of possession as the Purcha of the same is/was already been issued in favour of respondent Jay Kishore Prasad which is verified in proceeding U/s 145 Cr. P. C. in Case No. 01/2024 (Annexure-P/17) by the respondent No. 8.

(iii) This Hon'ble Court may adjudicate and hold that the land allotment



Purcha contained in letter No. 738 Sitamarhi dated 16.05.2025 (Annexure-P/9) issued by the Respondent No. 11 in favour of the petitioner and his brother is legal, valid and justified at all and they (allottees) are entitled to get possession over the settled/allotted land whose details are mentioned in Paragraph No. 19 of this writ application.

(iv) This Hon'ble Court may further adjudicate and hold that the entire actions of Sri Ranjeet Kumar, the Circle Officer, Bairania, District Sitamarhi in this matter is arbitrary in nature and malafide and is liable to be prosecuted under relevant service rules applicable to him and under the relevant provisions of the BNS, 2023.

(v) This Hon'ble Court may further adjudicate and hold that the letter No. 1231 dated 24.09.2025 (Annexure-P/16) issued by the respondent No. 10 the Circle Officer, Bairania, District - Sitamarhi is illegal and without jurisdiction in the light of the clarification as contained in Letter No. 1321 Sitamarhi dated 20.09.2024 (Annexure-P/14) issued by the competent authority i.e. respondent No.11 the Executive Engineer-cum-Rehabilitation Officer) thereunder the respondent Circle Officer, Bairania, District Sitamarhi is/was informed that land in



question has not been settled with the private respondents and their father in response to Letter No. 1291 dated 23.08.2024 (Annexure-P/13).

3. After some argument, learned counsel for the petitioner prays for withdrawal of the petition to pursue alternate remedy available under the law of the land.

4. Granting said liberty, the CWJC No. 2946 of 2026 is dismissed as withdrawn.

(Rajiv Roy, J)

Vijay Singh/-

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