

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1166 of 2026

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1. Gita Devi, wife of Mahendra Kumar Harijan, resident of village-Haruwadanga, P.S.- Dighal Bank, Distt. - Kishanganj.
 2. Arun Kumar Ray, Son of Late Sahat Lal Hadi @ Sahat Lal Ray, resident of Village- Chahatpur, P.S. - Garbhandanga, Distt. - Kishanganj.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue, Patna.
2. The Director, Consolidation, Bihar at Patna.
3. The Deputy Director, Consolidation, Kishanganj, Bihar.
4. The Consolidation Officer, Kishanganj, Bihar.
5. Vishnu Lal Harijan, Son of Late Gamak Lal Harijan, resident of village-Chahatpur, P.S.- Garbhandanga, Distt. - Kishanganj.
6. Ajay Kumar Ray, Son of Late Gamak Lal Harijan, resident of village-Chahatpur, P.S.- Garbhandanga, Distt. - Kishanganj.
7. Vijay Kumar Ray, Son of Late Gamak Lal Harijan, resident of Village-Chahatpur, P.S.- Garbhandanga, Distt. - Kishanganj.
8. Narayan Harijan, Son of Late Gamak Lal Harijan, resident of Village-Chahatpur, P.S.- Garbhandanga, Distt. - Kishanganj.
9. Sanjay Kumar Harijan, Son of Late Gamak La Harijan, resident of Village-Chahatpur, P.S.- Garbhandanga, Distt. - Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate. Mr. Rajeev Ranjan No.II, Advocate.
For the Respondent/s	:	Mr. Madanjeet Kumar, GP-20.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 03-02-2026

Heard learned counsel appearing on behalf of the
petitioners and learned counsel for the State.

2. The petitioners in paragraph no. 1 of the present writ petition have sought, *inter alia*, following relief(s), which is reproduced hereinafter:-



“1. That this application is directed for issuance of writ in the nature of Certiorari / any other appropriate writ/order/direction for quashing the order dated 19/12/1986 and 13/05/1987 passed by the Deputy Director, Consolidation, Kishanganj in case no.1012/1979 and also the Chakbandi Khatiya prepared on basis of such orders whereby and where under the correction slip has been issued in favor of the private respondents with respect to the plots which were not the subject matter of the aforesaid case initiated on the application dated 22/02/79 filed by the late Gamak Lal father of private respondents.

At the very outset it is stated that Late Gamak Lal was one son out of 7 off- spring of Late Sahat Lal who had acquired 3 acre 28 decimal land and all of them have equal right in the property of Late Sahat Lal but the Chakbandi Khatiyan has been prepared in favor of father of private respondents.”

3. Learned counsel appearing on behalf of the petitioners submitted that the case of the petitioners is covered by the decision of the State Government taken vide Notification No. 54 dated 19.01.2018, by which chakbandi scheme has been cancelled / quashed. Petitioners are aggrieved by the orders dated 19.12.1986 and 13.05.1987 passed by the Deputy Director, Consolidation, Kishanganj in Case No. 1012/1979. Learned counsel admits that against the said orders, remedy of revision is available before the Director, Consolidation, Bihar under Section 35 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 (hereinafter referred to as “Act, 1956). He submits that he is ready to avail such remedy, but it will be contrary to the decision of the State Government contained in Notification No. 54 dated 19.01.2018, by which chakbandi scheme itself has been quashed in respect of 21



districts notified in the said notification and in respect of remaining districts, no step has been taken to implement the said scheme during the relevant period. He further submitted that inaction on the part of the revenue authorities and red tapism having been noticed by the State Government adopted by the chakbandi officers call for withdrawal of the said scheme by the State Government. Under such circumstances, learned counsel seeks to avail appropriate remedy before the competent civil court.

4. *Per contra*, Mr. Madanjeet Singh, learned counsel appearing on behalf of the State submitted that by the Notification No. 54 dated 19.01.2018, Chakbandi Scheme has been cancelled in respect of 21 district and Kishanganj is also among the 21 districts. The petitioners have efficacious remedy, if they are aggrieved, by the orders dated 9.12.1986 and 13.05.1987 passed by the Deputy Director, Consolidation, Kishanganj in Case No. 1012/1979, before the Director, Consolidation, Bihar.

5. Heard the parties.

6. I find that the Notification No. 54 dated 19.01.2018 is self explanatory by which the continuation of Chakbandi Yojna has been cancelled in respect of the districts named in the



notification by the State Government. In respect of the district Kishanganj also, chakbandi is cancelled which renders the orders dated 9.12.1986 and 13.05.1987 ineffective. The question of availing remedy before the Director, Consolidation, Bihar also don't arise in light of the Notification No. 54 dated 19.01.2018.

7. With the aforesaid observation, the writ petition stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	AFR
CAV DATE	N.A.
Uploading Date	12.02.2026
Transmission Date	N.A.

