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**(2020) 01 PAT CK 0307**

**In the Patna High Court**

**Case No :** Civil Writ Jurisdiction Case No. 1292 Of 2020

Ajit Kumar Tiwari

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

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**Date of Decision :** 21-01-2020

**Acts Referred:**

**Citation :** (2020) 01 PAT CK 0307

**Hon'ble Judges :** Ahsanuddin Amanullah, J

**Bench :** Single Bench

**Advocate :** Madhurendra Kumar, Avinash, Vivek Prasad

**Final Decision :** Disposed Of

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## **Judgement**

1. Heard learned counsel for the petitioner and learned GP 7 for the State.

2. The petitioner has moved the Court for the following reliefs:

"A. A writ in the nature of Mandamus or any other appropriate writ/writs, order/orders, direction/directions, commanding the respondents for the following:

I. To Release the land of the Petitioner bearing Khata No. 609, Khesara No. 5412, Area 0-2-2 from block list which is a Khatiyani land of the petitioner and in revisional survey the name of Khatiyani raiyat mentioned as Sita Tiwari and Shiva Narayan Tiwari who are forefather of the petitioner.

II. To rectify the list with regard to the land of the Petitioner bearing Khata No. 609, Plot No. 5412 which has been mentioned in block list as Khata No. 230, Plot No. 5412 which is an apparent error.

III. To consider the claim of the petitioner in the light of the enquiry report submitted by the Circle Officer, Patahi, containing Memo No. 325 dated 2-8-2019 which clearly reveals that the land bearing Khata No. 609, Khesara No. 5412, Area 0-2-2 has wrongly put on the hold and should be released from the block list.

B. To any other relief/reliefs to which the petitioner for and the Hon'ble court deems fit and proper."

3. The petitioner is aggrieved by the fact that his land has been kept in the block list for the purpose of transfer by the Sub-Registrar, Motihari, in the district of East Champaran. It was submitted that the revenue authorities at the local level have found the land to be raiyati land belonging to the petitioner.

4. Learned counsel for the State submitted that under a general direction of the Inspector General, Registration, Bihar Patna dated 03.07.2017 to all the Collectors-cum-District Registrars to examine the matter relating to stay of transfer of land within their jurisdiction, the authorities are required to satisfy themselves in the matter. It was submitted that the Collector-cum-District Registrar, East Champaran, Motihari be directed to take a decision with regard to the land of the petitioner.

5. Learned counsel for the petitioner agrees to the same.

6. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file a detailed representation before the respondent no. 3 enclosing all supporting documents on the issue. If the same is done within four weeks from today, the respondent no. 3 shall look into the matter and pass a reasoned order on merits within three weeks from the date of filing of the representation, after affording an opportunity of hearing, if so desired, to the petitioner.