



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19708 of 2016

Krishnadeo Prasad Mahto S/o late Singeshwar Prasad Mahto resident of village - Bingama, P.S. - Patori, O.P.Mohanpur, P.O. - Jalalpur, District - Samastipur.

... .. Petitioner/s

Versus

1. Suryakant Mahto S/o late Singeshwar Prasad Mahto
2. Wakil Mahto S/o late Singeshwar Mahto
3. Sobha Kunwar W/o late Singeshwar Mahto
4. Mahinder Mahto S/o late Sital Mahto All residents of village - Bingama, P.S. - Patori, O.P. Mohanpur, P.O. - Jalalpur, District - Samastipur.
5. The State of Bihar through the Collector, Samastipur at Samastipur.
6. The Collector, Darbhanga at Darbhanga.
7. The Survey Settlement Officer, Patori, as Camp Office in SDO Office Campus Patori, District Samasti
8. The Survey Settlement Office, Darbhanga, in the campus of Darbhanga Raj Hospital Campus, near Kames
9. The Asst. Settlement Officer, Patori, Laharia Sarai at Darbhanga.
10. The Land Acquisition Officer, Samastipur, District Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
	:	Ms. Rita Kumari Upadhyaya, Advocate
For the State	:	Mr. Rishi Raj Sinha-SC-19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-01-2026 Heard the parties.

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

*“(i) for setting aside the ex-parte non
jurisdictional order dated 23-08-2012 passed by
the Revenue Officer/ Presiding Officer, Patori
Anchal, Samastipur in Case No. 1709/ 2006,*





behind the back of the party and without sending and service of any notice and providing any opportunity of hearing, as such in complete violation of Natural Justice, alleged to be passed u/s 106 of B.T. Act.

(ii) for directing the respondents to provide certified copies of all application relating to the cases bearing Case No. 1709/06, for which petitioner had filed requisition before the competent authority but it was not provided till date to the poor petitioner.

(iii) for directing the respondent authority to produce the record of the all cases bearing Case No. 1709/06 by which it shall be clear that the said order is not only passed ex-parte but also no notice was ever been sent or served and entire proceedings run without jurisdiction.

(iv) for declaring that all the ex-parte order passed in Case No. 1709/06 by the Revenue Officer/ Presiding Officer, Patori Anchal, Samastipur is non jurisdictional and





passed only after enactment and notification of The Bihar Special Survey and Settlement Act, 2011 (Bihar Act 24 of 2011) vide Gazette Notification no. 800 dated 22-12-2011.

(v) for directing the respondent Collector of the district Samastipur & Darbhanga to look after the illegal and non jurisdictional works of their subordinate officials as the revisional survey process has been started since 1985 and it could not be completed within laps of about 43 years and the poor and marginal farmers are being victim of Revenue officials.

(vi) for directing the respondent authority to stop the survey operation on the basis of Bihar Tenancy Act, 1885, The Bihar Survey & Settlement Manual 1959 & The Bihar Tenant's Holding (Maintenance of Records) Act 1973, with immediate effect in Samastipur district and complete the survey within fixed period of time according to new survey law of 2011 & rule 2012.





*(vii) for granting any other relief or
reliefs for which the petitioner is entitled for.”*

3. In this case on 24.11.2025, direction was given for
filing jointness petition in four weeks.

4. As it was peremptory order and not complied, it
stood dismissed on 22.12.2025.

5. Perused the file, consigned.

(Rajiv Roy, J)

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