



2025:PATHC:105772

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16460 of 2018

Ardhanand Vyas Son of Late Ram Bilas Vyas, resident of Village Begampur,
P.S. Nalanda District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate cum-Collector Nalanda, District Nalanda.
3. The Sub-Divisional Officer, Biharsharif District Nalanda.
4. The D.C.L.R. Biharsharif District Nalanda.
5. The Circle Officer, Noorsarai, District Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-12-2025 Heard the parties.

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

“(i) for issuance of an appropriate writ in the nature of Mandamus Commanding and directing the respondent authority to settle the land appertaining to Khata No. 94, Khesra No. 2467 situated at Mauza Begampur, Anchal Noorsarai, District-Nalanda in favour of petitioner and accordingly fix the rent thereafter issue rent receipt because petitioner is residing upon the said land since last 60-70 years and the nature of land as per Khatiyani is Kachahari Malik while in chak-Bandi Khatiyani on the basis of possession the name of Father of the





petitioner has been entered.

(ii) further for issuance of any other writ/writs, order/orders, direction/directions for which the petitioner shall be found entitled under the facts and circumstances of the case under principle of equitable Justice.”

3. A counter affidavit of the respondent no. 2 to 5 is on record duly served to learned counsel for the petitioner on 17.04.2019, according to which, the nature of land is recorded as ‘Kachahari Malik’ which cannot be treated as ‘raiya’ land nor can be settled to any person much less the petitioner.

4. As recorded above, the counter affidavit was filed in the year 2019 after service of copy to the petitioner and there is no rebuttal to it.

5. In such cases, the parties are free to knock the doors of the competent Civil Court, no observation can be made on it in a writ application.

6. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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