



2025:PATHC:108972

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19825 of 2025

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Dhananjay Kumar Suri S/o Ramjatan Prasad, R/o Ward No. 32, Kishanganj,
District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through Additional Chief Secretary, Revenue and Land Reforms.
2. Officer on Special Duty, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Patna.
3. Commissioner, Purnea Division, District-Purnea.
4. The District Magistrate cum Collector, Kishanganj, District-Kishanganj.
5. Additional Collector, Kishanganj, District-Kishanganj.
6. The Circle Officer, Block-Terhagachh, District-Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the State : Mr. Standing Counsel (07)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2025 Heard Mr. Mritunjay Kumar, learned counsel for the
petitioner and learned counsel representing the State.

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

*“(i) for issuance of a writ in the nature
of CERTORARAI quashing and setting the
decision of the Respondent No.-3 whereby and
whereunder the said Respondent vide its letter
no.- 4110 dated 13.09.2024 (AnnexureP/6)
refused to accept the recommendation for*





remission of Rs.14,20,200/-, duly recommended by three member committee constituted under the chairmanship of the Respondent No.-5. The said committee was constituted by Revenue and Land Reforms Department, Government of Bihar, to consider remission of amount for "Sairat Settlement" during the financial year 2020-21 (period of lockdown).

(ii) for issuance of a writ in the nature of CERTORARAI quashing and setting the decision of the three-member committee headed by the Respondent No.-4 whereby and whereunder the said committee vide its letter bearing Memo no.-1689 dated 14.08.2024 (Annexure P/5) recommended remission of Rs.14,20,200/- in lieu of "sairat (pond) settlement" done in favour of the petitioner for Khagra Revenue Haat & Gudri under jurisdiction of Kishanganj circle office.

(iii) for issuance of a writ in the nature of MANDAMUS DIRECTING the Respondent Authorities particularly the Respondent No.- 3 &





5 to grant full remission of Rs.26,35,200/- in lieu of "sairat (pond) settlement" done in favour of the petitioner for Khagra Revenue Haat & Gudri under jurisdiction of Kishanganj circle office on 24.02.2020 (Annexure P/1) for the reason that, the petitioner's business had remained non-operational due to covid-19 and consequential nationwide lockdown.

(iv) for issuance of a writ in the nature of Prohibition restraining the Respondents from taking any coercive action against the petitioner with respect of recovery of Rs.26,35,200/-.

(v) for issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case."

3. The matter relates to "sairat (pond) settlement" and it is the case that due to covid period 2020-21, as he suffered financial loss, moved before the Collector, Kishanganj and the three men committee headed by the Additional Collector, Kishanganj made a recommendation for giving relief to the tune





of Rs.14,20,200/- to him (Annexure-6 to the petition).

4. Subsequently and as the recommendation was cryptic without any supporting documents as to how the recommendation has been made for three years when the covid period was restricted to the aforesaid period, as recorded above, the Commissioner, Purnea Division, Purnea, rejected the said claim (Annexure-7 series).

5. As the record shows, the petitioner earlier moved before this Court in CWJC No. 4592 of 2021 (Dhananjay Kumar Suri vs. The State of Bihar & Ors.) challenging the demand of Rs.26,35,200/- for the said “sairat (pond) settlement). It came to be dismissed on 23.09.2024 in the aforesaid background that the Divisional Commissioner, Purnea Division, Purnea has rejected the claim (Annexure-5 to the petition).

6. Aggrieved, the LPA No. 1173 of 2024 was preferred which again was disposed of and the Court observed that no interference is required. This order came to be passed on 15.09.2025.

7. Now the order of the Divisional Commissioner, Purnea Division, Purnea has been challenged a year later.

8. Learned counsel for the petitioner submits that the Divisional Commissioner, Purnea Division, Purnea failed to





look into the three men committee recommendation by which the grant of relief was recommended. Upon query, on the absence of material facts which could have taken the Divisional Commissioner, Purnea Division, Purnea to a logical conclusion is/are not missing, the contention is that after the petition preferred before the Collector, Kishanganj, he was never summoned to provide/present the supporting document, had it been so, he would have been able to convince the committee.

9. Learned State counsel submits that the contention of the petitioner clearly shows that the Divisional Commissioner, Purnea Division, Purnea, was right in arriving at a conclusion that bereft of document, no decision can be made.

10. A settlement was made, it is the contention of the petitioner that he suffered losses during the covid period, a petition was preferred for grant of relief. The natural course of action on the part of the office of the Collector, Kishanganj was to ask him to provide the supporting documents. Alternatively, it was the petitioner's duty also to annex all the supporting documents alongwith the petition so that the committee could come to a logical conclusion, both failed to do so and in that background, the Divisional Commissioner, Purnea Division, Purnea was perfectly justified in passing the order in question.





11. No interference is required. However, the petitioner has the liberty to once again prefer a proper petition before the Collector, Kishanganj alongwith all the supporting documents at the time of presentation itself.

12. If such petition alongwith supporting documents are filed in next four weeks, the Collector, Kishanganj shall be taking up the matter and take appropriate steps in accordance with law on such petition.

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

(Rajiv Roy, J)

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