



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11430 of 2022

Rajendra Mandal @ Rejendra Mandar S/o Late Nanulal Mandal @ Late Nanu Mandar, Resident of Village - Auranga Usuri, Police Station - Baheri, Dist. - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Revenue, Government of Bihar.
2. The District Magistrate cum Collector, Darbhanga.
3. The Additional Collector Ceiling, Darbhanga.
4. The Deputy Collector Land Reforms, Darbhanga.
5. The Circle Officer, Biraul, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Adv.
For the Respondent/s : Mr. Sajid Salim Khan (SC-25)

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL JUDGMENT

Date : 15-04-2026

Heard Mr. Baidya Nath Prasad, the learned counsel for the petitioner and Mr. Sajid Salim Khan, the learned SC-25 for the State.

2. The present writ application has been filed for issuance of a writ in the nature of *mandamus* for a direction to the respondent authorities to release the petitioner's land,





which has been declared surplus land by Ceiling Case No. 69 of 1973-1974 illegally without any notice upon him and without proper enquiry under Section 5(i) (ii) by avoiding Section 9(2) of the Ceiling Act.

3. The learned counsel for the petitioner submits that his grievances shall be redressed if the present writ application be disposed of with a direction to the Additional Collector (Ceiling), Darbhanga (respondent No. 3) in terms of the order passed by this Court in C.W.J.C. No. 14493 of 2002 & analogous cases, disposed of on 21.04.2005 (Annexure-2 to the writ application).

4. It has been submitted on behalf of the petitioner that he is the purchaser of the land in question, which has been declared to be surplus by the authorities concerned. It has further been submitted that the case of the petitioner is exactly similar to the case of one Yamun Mandal & Ors., which was also the subject matter in the batch of writ petitions, *i.e.*, C.W.J.C. Nos. 768 of 2003.

5. Mr. Sajid Salim Khan, the learned SC-25, submits that the petitioner, being the purchaser, cannot be given the opportunity of being heard at such a belated stage and passage of time upon the disposal of the aforesaid writ





application. It has further been submitted that the Additional Collector (Ceiling), Darbhanga (respondent No. 3) can look into the matter, if the original land-holder from whom the petitioner has purchased the said land is heard before passing any order.

6. In view of the aforesaid submissions and taking into account the earlier order passed by this Court in aforesaid C.W.J.C. No. 14493 of 2002 & analogous cases, the petitioner is directed to make a fresh representation before the Additional Collector (Ceiling), Darbhanga (respondent No. 3), detailing his grievances, within a period of four weeks from today, who, on receipt of such representation, after taking into account the fact that the petitioner had purchased the property way-back in the year 1977 from the land-holder whose land has subsequently been declared to be surplus and after giving due opportunity of hearing to the original land-holder/legal heirs or legal representatives of the land in question apart from the other relevant parties including the petitioner, shall pass a reasoned order in accordance with law within a further period of four months of the receipt of such representation.

7. If the claim of the petitioner is found to be tenable, necessary sequel order shall also be passed by the concerned





respondent/authority within the aforesaid period.

8. With the aforesaid observation/direction, the writ petition stands disposed of.

9. Interlocutor application(s), if any, also stands disposed of accordingly.

(Sourendra Pandey, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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