

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11385 of 2015

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Bhajju Manjhi, Son of Somari Manjhi, Resident of Village - Barma, P.S. -
Sheikhpura, District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The District Magistrate, Sheikhpura.
4. The Sub-Divisional Officer, Sheikhpura.
5. The Deputy Collector, Land Reforms Sheikhpura.
6. The Circle Officer, Sheikhpura Anchal, P.S. & District - Sheikhpura.
7. Rajeshwari Singh, Son of Late Deo Narayan Singh, Resident of Village -
Barma, P.S. - Sheikhpura, District - Sheikhpura.
8. Dani Singh, Son of Late Mathura Singh, Resident of Village - Barma,
P.S. - Sheikhpura, District - Sheikhpura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent nos.1to6: Mr. Sunil Kumar Karn, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 25-08-2015

Heard the parties.

The only grievance of the petitioner raised in the present writ petition is that though his father was granted Basgit Parcha vide Annexure-1 with respect to a plot of land bearing khata no.51, khesra no.438, area two decimals situate at Mauza Barma in the district of Sheikhpura, yet the private respondent nos.7 and 8 have forcibly dispossessed him from the aforesaid plot of land.

Learned counsel appearing on behalf of the petitioner submits that, for redressal of his valid grievances, petitioner filed a petition vide Annexure-4 before the respondent D.C.L.R., Sheikhpura under the provisions of the Bihar Land Disputes Resolution Act, 2009 (in short 'Act 2009'), but till date no action has been taken and even case number has not been generated.

Learned State counsel appearing on behalf of the respondent nos.1 to 6 has fairly conceded that the grievances raised on behalf of the petitioner can be appropriately redressed by the competent authority under the provisions of the Act, 2009.

In above view of the matter, the petitioner is directed to appear before the respondent D.C.L.R., Sheikhpura, who is “competent authority” under the meaning of Act, 2009, with a fresh petition as also a certified copy of the present order within a period of four weeks from today, whereafter the respondent D.C.L.R., Sheikhpura shall register a case and shall make all endeavours to dispose of the petition filed on behalf of the petitioner under the provisions of the Act, 2009, after giving an opportunity of hearing to all concerned including the respondent nos.7 and 8, at an early date, preferably within a period of three months from the date of filing of such petition by the petitioner.

The petitioner as also the private respondent nos.7 and 8 shall be at liberty to raise all the issues of facts and law, which may be available to them with respect to the lands under dispute.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner and the same is left to be decided by the respondent D.C.L.R., Sheikhpura in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

Arvind/-

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(Birendra Prasad Verma, J)