

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21885 of 2014

=====

Ram Ekbal Sah Son of Late Munga Lal Sah resident of Village - Behta, P.S.
- Benipatti, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Madhubani.
3. The Deputy Collector, Land Reform, Benipatti, Madhubani.
4. The Circle Officer, Benipatti, Madhubani.
5. The Officer-incharge, Police Station, Benipatti, Madhubani.
6. Shail Devi wife of Late Yogeshwar Kamat
7. Dinesh Kamat son of Late Ziya Lal Kamal
8. Jai Kishore Kamat son of Late Sogarath Kamat, all are resident
of village Behta, P.S. Benipatti, District Madhubani.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate

For the Respondent/s : Mr. Rakesh Ambastha, AC to AAG XV

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 13-08-2015

Heard the parties.

2. The grievance of the petitioner is that the order dated 15.10.2011 was passed in Case No. 60 of 2011-12 (Annexure-1) by the competent authority i.e. the respondent DCLR, Benipatti under the provisions of Bihar Land Disputes Resolution Act, 2009 (in short, "the Act, 2009"), but despite petition filed by the petitioner, the said order is not being executed and is not taken to its logical conclusion. It is the case of the petitioner that he filed a petition as contained in Annexure-4 before the respondent DCLR, Benipatti for aforesaid purposes, but no follow up action has been taken by him for execution of the order as contained in Annexure-1.

3. Under the Act, 2009, for execution of an order passed by the competent authority, if it has not been reversed or

modified by the appellate forum, there is some in built mechanism under Section 15 of the said Act

4. In above view of the matter, the petitioner is directed to file a fresh petition under Section 15 of the Act, 2009 before the respondent DCLR, Benipatti raising his grievances which have been raised in the present writ petition. If such a petition is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order and if the order dated 15.10.2011 passed in Case No. 60 of 2011-12 has not been modified or reversed either by the appellate forum or by any other higher authority/court, then the respondent DCLR, Benipatti shall be obliged to execute the aforesaid order dated 15.10.2011 in accordance with the provision of Section 15 of the Act, 2009. All endeavours shall be made by him to take the said proceeding to its logical conclusion at an early date preferably within a period of three months from the date of filing of the petition by the petitioner.

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

(Birendra Prasad Verma, J)

Tahir/-

U			
---	--	--	--