

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2837 of 2015

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1. Chandeshwari Rishi Son of Late Rushay Rishi, Resident of Village-Khota, P.S.-Falka, District-Katihar.

.... Petitioner

Versus

1. The State of Bihar
2. The Director, Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Katihar.
4. The Deputy Collector Land Reforms, Katihar.
5. The Circle Officer, Sameli, Katihar.
6. The Bihar Bhoodan Yagya Committee, through its Chairman, Gardanibagh Road, No.-34, Patna.
7. Raghu Paswan S/o Late Sukhari Paswan Resident of Village-Khota, P.S.-Falka, District-Katihar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate.

For the Respondent/s : Mr. S.K.Mandal, SC-24

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 19-02-2015

Heard the parties.

The petitioner claims himself to be the grantee of the land under the Bihar Bhoodan Yagya Act, 1954 (for short ‘the Act’). Instead of enclosing the Praman Patra only the certificate number has been provided. According to the writ petitioner, the same was cancelled on account of breach of the condition(s). The said order was passed in 1999. The petitioner in the present writ petition has prayed for a direction upon the respondents particularly the authorities of the Bihar Bhoodan Yagya Committee (for short ‘the Committee’) to restore possession of the petitioner over the lands. It has, however,

not been stated that the Praman Patra was ever confirmed by the Revenue Officer. There is no assertion with regard to the mutation of the name of the grantee. In such view of the matter, this Court is unable to grant any relief to the petitioner. Counsel for the respondents have rightly pointed out that under Section 17 A of the Act any such grievance can be raised before and considered by the Divisional Commissioner or the Board of Revenue. This Court while declining the relief by invocation of its discretionary and extraordinary jurisdiction would grant the petitioner the said liberty.

The application is dismissed with the aforesaid liberty.

(Kishore Kumar Mandal, J)

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