

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9765 of 2013

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Kamleshwar Singh, S/O Late Ramjanam Singh, Resident of Village
Balmatola P.S. Piro District Bhojpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director of Consolidation Bihar, Patna
3. The Divisional Commissioner Patna Division Patna
4. The District Magistrate, Bhojpur (Ara)
5. The Land Acquisition Officer, Bhojpur (Ara)
6. The Consolidation Officer, Piro District Bhojpur (Ara)
7. The Circle Officer Piro, District Bhojpur (Ara)
8. Chandrama Yadav, Son Of Late Ram Jatan Singh, Resident Of Village
Rajman Dih, P.S. Sikarahata District Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr.Adv. Mr.Ritesh Kumar, Adv. Mr.Pramod Kumar, Adv.
For the Respondent nos.1to7	:	Mr. Md.N. Hoda Khan, SC-18 Mrs. Babita Kumari, AC to SC-18
For the Respondent no.8	:	None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 10-11-2015 Heard the learned senior counsel appearing on behalf of the petitioner and the learned SC-18 appearing on behalf of the respondent nos.1 to 7. However, despite valid service of notice, none appears on behalf of the respondent no.8.

In view of the nature of the grievances raised on behalf of the petitioner, fully delineated in para 1 of present writ petition, and in view of the stand taken by the respondents in the counter affidavits separately filed on behalf of the respondent nos.2 and 6, this Court is of the opinion that, instead of deciding the controversy in the present proceeding, which requires examination of certain disputed questions of facts, interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent District

Magistrate, Bhojpur at Ara with all supporting documents, raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation/appropriate petition is filed by the petitioner within a period of four weeks from today with a certified copy of the present order, then the respondent District Magistrate, Bhojpur at Ara shall be obliged to consider and decide the claims raised on behalf of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the respondent no.8, expeditiously preferably within a period of six months from the date of filing of such comprehensive representation/appropriate petition by the petitioner.

If on consideration of the materials, the respondent District Magistrate, Bhojpur at Ara comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the parties in the present writ petition and the same is left to be decided once again by the respondent District Magistrate, Bhojpur at Ara strictly in accordance with law.

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

Arvind/-

(Birendra Prasad Verma, J)

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