

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21472 of 2013

With
Interlocutory Application No.2553 of 2014

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Dr. Md. Nehal Akhtar, Son Of Late Chaudhary Mustaque Hussain @ Kalo Babu, Resident Of Village- Upri Tola, Ballia, Police Station- Ballia, Anchal- Ballia, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Government Of Bihar, Patna
2. The Collector, Begusarai
3. The Additional Collector, Begusarai
4. The Deputy Collector, Land Reform, Ballia Sub-Division, District- Begusarai
6. Dr. Sammi Sorai Affaque, Son Of Late Chaudhary Mustaque Hassan, Resident Of Upri Tola Ballia, P.S.- Ballia, District- Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeeva Roy, Adv.
Mr. Amrendra Kumar Pandey No.-1, Adv.
For the Respondent nos.1to4: Mr. Lalan Kumar, AC to GP-23
For the Intervenor : Mr. S.M. Shabbir Alam, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 17-12-2015 Heard the parties.

The grievance of the petitioner in the present writ petition filed under Article 226 of the Constitution of India is that for redressal of his valid grievances with respect to the lands in question claimed by him, he filed Jamabandi Case No.2 of 2012-13 before the respondent Additional Collector, Begusarai and also filed Mutation Appeal on 16.03.2013 before the respondent D.C.L.R., Ballia in the district of Begusarai, but despite passage of more than two years, the aforesaid case/appeal have not been disposed of till date by the aforesaid authorities.

The learned counsel appearing on behalf of the petitioner submits that, in fact, even appeal number has not been

given in the aforesaid mutation appeal filed on his behalf on 16.03.2013.

I.A.No.2553 of 2014 has been filed on behalf of one Md.Shakib for being added as party respondent in the present writ petition, as according to him, he has also valid interest over the lands in question claimed by the writ petitioner.

After having heard the parties at some length and on consideration of the materials available on the record, this Court finds that the parties are unanimous in their submissions that the aforesaid Jamabandi Case No.2 of 2012-13 as also Mutation Appeal filed on behalf of the petitioner have not been disposed of till date by the concerned revenue authorities. In the aforesaid factual matrix, this Court is of the considered opinion that interest of justice shall be sub-served, if the aforesaid authorities are directed to decide the aforesaid Jamabandi Case as also Mutation Appeal expeditiously preferably within a period of six months from the date of appearance of the petitioner as also the intervenor. It is ordered accordingly.

In order to expedite the matter, the petitioner as also the intervenor are hereby directed to appear before the respondent Additional Collector, Begusarai as also the respondent D.C.L.R., Ballia with a certified copy of the present order within a period of six weeks from today. On their appearance, the aforesaid two authorities shall take up the aforesaid Jamabandi Case as also Mutation Appeal on priority basis for their disposal in accordance with law and all endeavours shall be made to dispose of the same within a period of six months, as indicated above.

The parties 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.

However, it is clarified that, before passing any final order either by the respondent Additional Collector or by the respondent D.C.L.R., Ballia, an opportunity of hearing must be given to all concerned including the petitioner, the private respondent no.6, intervenor and other persons, if any.

The writ petition stands finally disposed of with the observations and directions made above. I.A.No.2553 of 2014 also stands accordingly disposed of.

(Birendra Prasad Verma, J)

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