

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.429 of 2015

IN

Miscellaneous Jurisdiction Case No. 994 of 2013

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Harindar Kumar Son of Late Leela Ram Vachani Resident of A-80, Sector 40,
P.S.- Sector 39, P.O.- Sector 37, Noida, 201301, Uttar Pradesh

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through Chief Secretary, Government of Bihar, Old Secretariat, Patna
3. Sri Anjani Singh, the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna
4. Sri Vyas Ji, Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Patna
5. Sri Abhay Kumar Singh, District Magistrate, Patna Collectorate, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sarvendra Kumar, Advocate
For the Respondent/s : Mr. Anjani Kumar, Sr. Advocate (AAG-6)
Mr. Deepak Sahay Jamuar, AC to AAG-6

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 20-07-2015

Heard learned counsel for the parties.

2. In response to my order dated 16.07.2015, Collector, Patna has filed supplementary show cause stating in paragraph 20 that it is not possible at this stage to disclose the date of settlement made in favour of the first vendor of the petitioner because such date can only be ascertained after conclusion of the enquiry. In paragraph 21, Collector, Patna has stated that he has constituted three-member committee for ascertaining the date on which the settlement was made in favour of the petitioner and committee is required to examine the

documents available in his office along with the documents submitted by all the 34 persons, including the petitioner separately for which at least six months time is required.

3. It is submitted by the counsel for the petitioner that the settlement made in favour of the first vendor of the petitioner was cancelled way back in the year 1985 and from that date there is doubt about the validity of the settlement made in favour of first vendor of the petitioner, as such, there is no justification for the Collector, Patna to continue with the enquiry for indefinite period.

4. I see substance in the submission made by the counsel for the petitioner, but as Collector, Patna has been allowed liberty to proceed with the enquiry by the Division Bench, it shall be for the petitioner to invite the attention of the Division Bench of this Court that such liberty tantamounts to trampling with his right and title over the land in question at least under cloud from 1985 when the settlement was cancelled as he is being harassed by the Collector, Patna and his subordinates from then.

5. With the aforesaid observation, the contempt petition is disposed of.

(V.N. Sinha, J.)

Arjun/-

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