

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3921 of 2009

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Satyendra Krishna Prasad son of Late Bijoy Krishna Prasad, resident of Chatta Kurum, P.O. Chandan, District Banka at present residing at Road No. 22, Plot No. 125, Shri Krishna Nagar, Patna 800 001

.... Petitioner/s

Versus

1. The State of Bihar through Commissioner-cum-Secretary, Department of Revenue, Government of Bihar, Patna
2. Commissioner-cum-Secretary, Department of Revenue, Govt. of Bihar, Secretariat, Patna
3. The Divisional Commissioner, Bhagalpur Division, Bhagalpur
4. The Collector (District Magistrate), Banka District, Banka
5. Additional Collector, Bhagalpur, Bhagalpur
6. The Deputy Collector, Land Reforms, Banka, District Banka
7. The Anchal Adhikari, Chandan Anchal, P.O. Chandan, District Banka
8. Kusumi Devi wife of Late Tiru Turi
9. Ramphal Turia son of Late Sukhdeo Turi
10. Shankar Turi son of Late Sukhdeo Turi
11. Sakun Turi son of Late Etwari Turi
12. Tilkesh Turni son of Late Kailu Turi
13. Nairu Turi son of Late Bhutku Turi
14. Khedu Turi son of Late Bhutku Turi
15. Jhuper Turi son of Late Chanchal Turi
16. Ganesh Turi son of Late Kishri Turi
17. Babhi Rai son of Mahendra Rai
18. Kailu Turi son Late Masudan Turi
19. Najru Turi son of Late Madhusudan Turi
20. Banphal Turi son of Late Sukhdeo Turi
21. Kamleshwar Turi son of Late Lagan Turi
22. Vijya Turi son of Shankar Turi
23. Mostt. Samri Turi wife of Tatut Turi
24. Mithu Turi son of Late Chathu Turi
25. Naresh Turi son of Mithu Turi

All are resident of village Chandan, P.O.& P.S.Chandan, Distt. Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Prasad Bhartee, Advocate
Mr. S.K.Bhartee, Advocate

For the Respondent Nos. 1 to 7: Mr.S.Raza Ahmad, AAG IX
Mr.Vishambhar Prasad, AC to AAG IX

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 27-08-2015

With the consent of the learned counsel appearing on
behalf of the petitioner and learned AC to AAG IX, appearing on

behalf of the respondent nos. 1 to 7, this matter is being taken up for its final disposal.

The petitioner is aggrieved by order dated 14.07.2008 passed in Basgit Parcha Case No. 7 of 2007-2008 by the respondent Anchal Adhikari, Chandan, Banka (respondent no.7) as contained in Annexure-1 to the writ petition, whereby the claim of the private respondent nos. 8 to 25 for grant of Basgit parcha under the provisions of Bihar Privileged Persons Homestead Tenancy Act, 1947 (in short, “ Act, 1947”) has been allowed.

Apparently, against the impugned order, the petitioner has alternative and efficacious statutory remedy under Section 21 of the Act, 1947.

In above view of the matter, the present writ petition is disposed of with a liberty to the petitioner to approach the respondent District Collector, Banka under Section 21 of the Act for redressal of his valid grievances.

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, then the respondent District Collector shall be obliged to consider and decide the claim of the petitioner by a reasoned and speaking order after giving an opportunity of hearing to all concerned including respondent nos. 8 to 25. The parties shall be at liberty to raise all the issues of facts and law before the respondent District Collector, which may be available to them.

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

(Birendra Prasad Verma, J)

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