

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21576 of 2011

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Jagarnath Prasad S/O Late Gopal Mahto, Resident of Mohalla- Dedar Mandi,
Gulzarbad, Patna City, P.S- Alamgnaj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue,
Government of Bihar, Patna.
2. District Magistrate, Patna.
3. Deputy Collector, Land Reforms, Patna Sadar, Patna.
4. Circle Officer, Patna Sadar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. R. K. Chandram

For the Respondent/s : Mr. Rajesh Kumar, AC to GP-28

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL JUDGMENT

Date: 09-09-2015

Heard the parties.

The only grievance of the petitioner in the present writ petition filed under Article 226 of the Constitution of India is that he filed a petition before the respondent Circle Officer, Patna Sadar, Patna on 10.10.2009 (Annexure-3) for redressal of his valid grievances with respect to the plots of land bearing khesra no. 1560 and 1562, but till date neither the grievances raised on behalf of the petitioner have been redressed nor the petition filed on behalf of the petitioner has finally been disposed of.

Though this writ petition was filed way back on 05.12.2011 and despite indulgence granted by this Court by order dated 12.12.2011, counter-affidavit has not been filed on behalf of the respondents controverting the claims of the writ petitioner. In above background, when this writ petition was taken up on 08.09.2015 for

consideration on merits, this Court orally directed the learned State counsel to ask respondent Circle Officer, Patna Sadar, Patna to remain physically present before this Court along with the relevant records.

Mr. Shamim Akhtar Mazhari, Circle Officer, Patna Sadar, Patna, is in appearance in person in the light of the aforesaid oral direction issued by this Court, but he has submitted that he has recently joined the post and the petition filed on behalf of the petitioner could not be traced out. However, he gives an assurance to this Court that if an appropriate petition is filed on behalf of the petitioner, then the same shall be disposed of at an early date preferably within a period of one month from the date of filing of such representation after giving an opportunity of hearing to all concerned.

In above view of the matter, the present writ petition is disposed of with a liberty to the petitioner to file a fresh comprehensive representation with all supporting documents in support of his claims as also a certified copy of the present order within a period of two weeks from today before the respondent Circle Officer, Patna Sadar, Patna.

If such a representation is filed on behalf of the petitioner, then the respondent Circle Officer, Patna Sadar, Patna shall be obliged to consider and decide the claims of the petitioner at an early date preferably within a period of one month from the date of filing of such representation by the petitioner.

If for any valid reason the respondent Circle Officer, Patna Sadar, Patna comes to a conclusion that the claims raised on behalf of the petitioner are not admissible to him, then, in that case, he shall pass a reasoned and speaking order for rejection of the claim of the petitioner. The present order has been passed in presence of the respondent Circle Officer, Patna Sadar, Patna and, therefore, it is

expected that he shall carry out the present order in its letter and spirit.

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

(Birendra Prasad Verma, J)

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