

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3285 of 2011

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1. Bhola Nath Roy, son of Late Radha Krishna Roy, Resident of Village-Bakherpur, P.S.-Pirpainty in the District of Bhagalpur
2. Gangadhar Pandey, son of Late Raj Narayan Pandey, Resident of Village-Bakherpur, P.S.-Pirpainty in the District of Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate-Cum-Collector, Bhagalpur
2. The District Magistrate -Cum-Collector, Bhagalpur
3. The Deputy Collector, Land Reforms, Kahalgaon, Bhagalpur
4. The Circle Officer, Pirpainty Block, District- Bhagalpur
5. The Circle Officer, Kahalgaon, District-Bhagalpur
6. The Halka Karmchari Mauza Bakherpur, Thana No.543, District-Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy

For the Respondent/s : Mrs. Ratna Kumari, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-05-2015 Though, this writ petition was filed way back on 18.02.2011, yet, unfortunately, despite passage of more than four years, the counter affidavit has not been filed on behalf of the respondents.

In view of the nature of grievances/claims raised on behalf of the petitioners, fully indicated in paragraph no.1 of the writ petition, this Court is of the opinion that, instead of keeping the matter pending awaiting the counter affidavit from the respondents, interest of justice shall be sub-served, if the petitioners are granted liberty to file a comprehensive representation with all supporting documents before the respondent District Magistrate-cum-Collector, Bhagalpur, raising all the pleas, which have been raised in the present proceeding. It is ordered accordingly.

If such a comprehensive representation is filed by the petitioners within a period of four weeks from today with a certified copy of the present order, then the respondent District Magistrate-cum-Collector, Bhagalpur either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioners strictly in accordance with law by a reasoned and speaking order at an early date preferably within a period of one month from the date of filing of such comprehensive representation by the petitioners.

If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioners are admissible to them, then the consequential orders shall be passed for grant of such admissible claims without any unnecessary further delay.

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

(Birendra Prasad Verma, J)

Arvind/-

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