

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2610 of 2015

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1. Md. Majid Ansari Son of Rahmat Hussain Ansari @ Rahmat Mian Resident of Village - Ramgarh Mahuwa Tola, Vatganj, P.S- Pipra Kothi, East Champaran.

.... Petitioner/s

Versus

1. State of Bihar, through Collector, East Champaran.
2. Collector/District Magistrate, East Champaran.
3. Land Reforms Deputy Collector (L.R.D.C) East Champaran.
4. Anchal Adhikari, Chakiya Anchal, East Champaran.
5. Mukhiya, Gram Panchayat Raj, Ramgarh Mahua Panchayat, P.S- Pipra Kothi, District - East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr. Mithilesh Kumar Pathak

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 11-02-2015

Heard Mr. Pramod Kumar Singh for the petitioner and A.C. to S.C.-7 for the State. With the consent of the parties, the present writ petition is being disposed of at this stage.

The petitioner claims a small tract of land measuring 0.46 decimals initially by virtue of settlement made in his favour by the Bettiah Estate and after vesting by the State of Bihar with effect from the date of vesting vide parwana (rent roll) (Annexure-2). In the writ petition, the petitioner has stated as under in paragraphs 6 and 7:

“6. That the family of the petitioner started cultivating the lands as mentioned in annexure-1 and since then are in possession of the same. The erstwhile Bettiah Estate started granted rent receipt in favour of the petitioner and his family members.

7. That the respondent no. 4 made a settlement of the land as mentioned in annexure-1 in favour of the father of the petitioner by way of grant of parwana on

31.03.71. The petitioner has been cultivating the lands since then and in token of possession the State of Bihar has been granting rent receipt.”

Mr. Pramod Kumar Singh, Counsel for the petitioner has taken a stand that the writ petition be disposed of permitting the petitioner to make an application in this regard before the Collector of the district (respondent no. 2) who may be directed to examine the said grievance and take appropriate decision thereon in accordance with law.

Considering the said stand taken by the petitioner, Counsel for the State has also agreed for disposal of the case.

Having heard the parties, the writ application is disposed of permitting the petitioner to make an appropriate application supported by all documents on which he proposes to rely before the respondent District Magistrate-cum-Collector (respondent no. 2) within 03 weeks along with copy of the present order whereafter the said respondent shall examine the said grievance of the petitioner and pass appropriate order in accordance with law as quickly as possible. It will be open to the petitioner to seek any interim relief, if any, from the said respondent.

The writ application is disposed of.

(Kishore Kumar Mandal, J)

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