

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1372 of 2015

In

Civil Writ Jurisdiction Case No. 2443 of 2014

=====

1. Laddu Mul Yadav, son of Late Janak Lal Yadav
2. Ajit Kumar Bharti, son of Sri Laddu Mul Yadav
3. Sujeet Kumar, son of Sri Laddu Mul Yadav
4. Tej Narayan Yadav, son of Late Janak Lal Yadav
5. Mithilesh Kumar, son of Sri Tej Narayan Yadav
All resident of village – Kachahari Balua, P.S. – Sarsi, District –
Purnea.

.... Petitioners

Versus

1. The State of Bihar.
2. Sri Narendra Narayan Yadav, the Hon'ble Minister, Revenue and
Land Reforms, Bihar, Patna.

.... Opposite Parties.

=====

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 09-09-2015 The petitioner had filed a writ petition being
C.W.J.C. No. 2443/2014 which was disposed of on
12.02.2014, noticing that petitioner's application in terms
of Section 45B of the Bihar Land Reforms (Fixation of
Ceiling Area and Acquisition of Surplus Land), Act, 1961
(for short the "Act") being pending before the State i.e.
Ministry for Revenue and Land Reforms, Government of
Bihar. This Court directed the Minister to not only consider
granting interim relief to take appropriate final decision
within one month from the date of production of a copy of
the order before him. Minister was the Statutory Authority
under the Act, though more than 1½ years gone by, the

2.

proceedings have not been concluded. The petitioner states that in absence of proceedings being concluded, the authorities at district level are proceeding to distribute the land of the petitioner treating it to be ceiling surplus land, and everyday there is a lot of problem, in view of the fact that the Minister, who is the Statutory Authority, could not find time to dispose of the matter even in 1½ years.

I deem it proper to restrain the district authorities of the district – Purnia, from disturbing the right, title or interest or possession of the petitioner in respect of disputed land in any manner. This would mean that the authorities would not issue red-cards or made any allotment in favour of any person in respect of land which was in dispute in the writ proceeding and could be thus subject matter of this contempt proceedings. This order would operate till final decision be taken by the Minister, in Miscellaneous Case No. 8/2012, before whom the proceeding is pending.

This application is, accordingly, disposed of.

(Navaniti Prasad Singh, J.)

Rajeev/-

U			
---	--	--	--