

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2537 of 2015

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Lal Babu Prasad son of Late Nathuni Prasad, resident of village- Mathura,
Police Station- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, West Champaran at Bettiah.
3. The Deputy Collector, land Refrorms , Bettiah, District- West Champaran.
4. The Anchal Adhikari, Narkatiaganj Anchal, District-West Champaran,.
5. Parsu Ram son of name not know to the Petitioner.
6. Jagjeevan Ram Son of name not know to the Petitioner.
7. Vishwanath Ram Son of name not know to the Petitioner.
8. Ram Deyal Ram Son of name not know to the Petitioner.
9. Kishun manjhi Son of name not know to the Petitioner.
10. Nathuni Manjhi Son of name not know to the Petitioner.
11. Lagatu Manjhi Son of name not know to the Petitioner.
12. mati Manjhi Son of name not know to the Petitioner.
13. Sitaram Son of name not know to the Petitioner.
14. Sukat Manjhi Son of name not know to the Petitioner.
15. Chakat Manjhi Son of name not know to the Petitioner.
16. Anarssi Manjhi Son of name not know to the Petitioner.
17. Vikram Manjhi Son of name not know to the Petitioner.
18. Shankar Manjhi Son of name not know to the Petitioner.
19. Chandradeo Manjhi Son of name not know to the Petitioner.
20. Ramchandra Manjhi Son of name not know to the Petitioner.
21. Raghubar Manjhi Son of name not know to the Petitioner.
22. Jadu Manhi Son of name not know to the Petitioner.
23. Dal Manjhi Son of name not know to the Petitioner.
24. Rajesh Ram Son of name not know to the Petitioner.
25. Pahlad Manjhi Son of name not know to the Petitioner.
26. Bake Ram Son of name not know to the Petitioner.
27. Sadan Manjhi Son of name not know to the Petitioner.
28. Dinanath Ram Son of name not know to the Petitioner.
29. Niranjana Ram Son of name not know to the Petitioner.
30. Bhuti Manjhi Son of name not know to the Petitioner.
31. Satya Ram Son of name not know to the Petitioner.
32. Raghubar Ram Son of name not know to the Petitioner.
33. Harindra Ram Son of name not know to the Petitioner.
34. Bhairo Ram Son of name not know to the Petitioner.
35. Batasa Devi Wife of name not known to the Petitioner.
36. Chhathu Paswan Son of name not know to the Petitioner.
37. Sheonath Manjhi Son of name not know to the Petitioner.
38. Bagar Manjhi Son of name not know to the Petitioner.
39. Umesh Ram Son of name not know to the Petitioner.
40. Ramadhar Sah Son of name not know to the Petitioner.
41. Sitaram Manjhi Son of name not know to the Petitioner.
42. Brijesh Paswan Son of name not know to the Petitioner.
43. Kamal Manjhi Son of name not know to the Petitioner.
44. Bhikhari Ram Son of name not know to the Petitioner.

45. Budhan Ram Son of name not known to the petitioner.

Petitioner nos. 5 to 45 are residents of village- Mathura, Police Station- Shikarpur, District- West Champaran.

.... Respondent/s

Appearance:

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Respondent/s : Mr. Ajay, GA-12

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 20-07-2015

Heard Mr. Bashitha Narayan Mishra, learned counsel for the petitioner and Mr. Ajay, learned Government Advocate No. 12 for the State.

The grievance of the petitioner is that the mandamus issued by this Court in CWJC No. 11267 of 2002 (Lal Babu Prasad vs. State of Bihar) directing the Collector, West Champaran to provide an opportunity to the petitioner for exercising an option for retention of the land so declared surplus under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 and only thereafter the lands be notified in the district gazette and until such time that the exercise is completed, the land of the petitioner be not distributed, is not being followed by the respondent authorities. Learned counsel submits that the petitioner is under a constant threat of dispossession of the land at the hands of the respondent authorities as the Circle Officer, Narkatiaganj is processing for distribution of purcha in favour of the private respondents without ensuring

compliance of the directions of this Court. Even while making such submission, Mr. Mishra very fairly admits that he has not drawn the attention of the Collector towards the action complained of.

In the circumstances discussed and having heard learned counsel for the parties, the writ petition is disposed of with a liberty to the petitioner to file an exhaustive representation before the Collector, West Champaran at Bettiah raising his grievance and which representation of the petitioner should be considered and disposed of by the Collector, West Champaran at Bettiah in accordance with law and after giving an opportunity of hearing to the petitioner within three months from the date of receipt / production of a copy of this order.

S.Sb/-

(Jyoti Saran, J)

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