

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2917 of 2015

- =====
1. Birendra Prasad Singh @ Tuntun Prasad Singh, son of Late Mathura Prasad Singh
 2. Jeetendra Kumar Singh @ Munna Prasad Singh, son of Late Bageshwari Prasad Singh
- Both residents of village Konikutti, P.O.- Belsar, P.S.- Mehendiya, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Secondary Education, Bihar Government, Patna
2. The Principal Secretary, Land Reforms Department, Bihar, Patna.
3. The Block Education Extension Officer, Kaler, District- Arwal.
4. The District Magistrate, Arwal.
5. The Circle Officer, Kaler, District- Arwal.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rohit Mishra

For the Respondent/s : Mr. GP6- PRASHANT PRATAP

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 19-02-2015

Heard the parties.

With the consent, the application is disposed of at this stage.

The petitioner claims title over 54 decimals of land appertaining to Khata no. 277, plot no. 2744 situated in Mauza Usri in the district of Arwal. The grievance is that the respondents have constructed school building over the said plot without the consent of the landholder and without acquiring the same after paying adequate compensation therefor. A representation in this regard was filed before the respondents District Magistrate which was not heeded to. It

has thus been prayed that the application be disposed of directing the respondent District Magistrate to consider the said representation of the petitioner in accordance with law.

Counsel for the State pointed out that the school building existed since last few years and only recently a representation is said to have been filed in the year 2014. The pleadings in the writ petition are not adequate to grant any relief to the petitioner. He, however, fairly stated that if a representation is filed, the District Magistrate or any other authority of the State is obliged to consider the same in accordance with law.

Having heard the parties, the writ application is disposed of by directing the petitioner to file fresh representation supported by all documents in his possession as also a copy of the present order before the respondent District Magistrate, Arwal within four weeks whereafter the said respondent will examine the same and take appropriate decision thereon in accordance with law as quickly as possible preferably within two months.

(Kishore Kumar Mandal, J)

Pankaj/-

U			
---	--	--	--