

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21541 of 2011

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Poonam Devi W/O Sri Raj Nandan Yadav, R/O Village- Ghanghaita, P.S.-
Tekari, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Gaya
2. The Office Secretary, District Bhoodan Yojna at Buniadganj, District-
Gaya
3. The Land Reforms Dy. Collector, Tekari, At Tekari, District- Gaya
4. The Circle Officer, Tekari, At Tekari, District- Gaya
5. Dinesh Yadav S/O Late Chandradeep Yadav. R/O Ghanghaila, P.O.-
Sanda, P.S.- Tekari, District- Gaya
6. The Chairman, Bhoodan Yagna Committee, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra
Mr. Binod Kumar

For the Respondent No.2 & 6: Mrs. Alka Verma

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 10-09-2015 Heard the parties.

The grievance of the petitioner in the present writ petition is that the Office Secretary, District Bhoodan Yagna Committee, Gaya has written a letter dated 09.04.2002 (Annexure-3) to the respondent Anchal Adhikari, Tekari (District Gaya) for making correction in the Praman Patra dated 26.09.2000 (Annexure-1) issued in favour of the petitioner for reducing the area of land, which was earlier allotted to the petitioner.

According to the learned counsel, the petitioner was allotted 52 decimals of land of plot no. 23 vide Praman Patra dated 26.09.2000 but, by the impugned communication, request has been made to delete/ reduce 15 decimals of land from the lands already allotted to the petitioner. It is contended by the learned counsel appearing on behalf of the petitioner that the action of the respondent Office Secretary (respondent No.2) is illegal and

without jurisdiction. However, he has conceded that in the light of the aforesaid communication dated 09.04.2002, consequential action has not been taken by the respondent Anchal Adhikari, Tekari till date.

Learned counsel appearing on behalf of the respondent no. 2 and 6 submits that if the petitioner is at all aggrieved by the impugned communication made by the respondent Office Secretary, then at the first instance, she should have approached the respondent Chairman, Bhoodan Yagna Committee for redressal of her valid grievances, as admittedly, no consequential action has been taken till date by the Revenue Officer for correction/ modification of the Praman Patra dated 26.09.2000 (Annexure-1) issued in favour of the petitioner.

In the aforesaid facts and circumstances of the case and in view of submissions made by the learned counsel appearing on behalf of the respondent no. 2 and 6, the petitioner is directed to appear before the respondent Chairman, Bhoodan Yagna Committee, Bihar, Patna (Respondent no.6) with a comprehensive representation with all supporting documents, raising all the issues before the respondent Chairman, which have been raised in the present writ petition.

If such a representation is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the respondent Chairman, Bhoodan Yagna Committee, Bihar, Patna shall consider the case of the petitioner and shall pass a reasoned and speaking order with respect to grievances raised on behalf of the petitioner regarding the lands in question. However, before passing any final order, the respondent Chairman shall give an opportunity of hearing to the

petitioner, the respondent no.5 and all other concerned persons/ authorities and only thereafter appropriate action shall be taken by the Revenue Officer under the provisions of The Bihar Bhlood Yagna Act, 1954.

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

(Birendra Prasad Verma, J)

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