

**IN THE HIGH COURT OF JUDICATURE AT
PATNA**

Civil Writ Jurisdiction Case No.21679 of 2013

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Bindeshwari Prasad Singh, S/O Jagnarain Singh, R/O Village- Shirkhinda,
P.S.- Nokha, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Collector, Sasaram, Rohtas
3. Addl. Collector, Land Review, Sasaram, Rohtas
4. Anchala Adhikari, Nokha, Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. U.S. Verma

Mr. Binod Kumar Mishra

For the Respondent/s : Mr. Swapnil Kumar Singh, AC to GP-I

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 21-12-2015 Heard the parties.

Though, the matter is pending before this Court since 28.10.2013, yet the counter affidavit has not been filed on behalf of the respondents controverting the averments made in the writ petition.

In above view of the matter and taking into consideration the nature of grievances / claims raised on behalf of the petitioner, who claims to be Mukhiya of the local Gram Panchayat, this Court is of the opinion that instead of keeping the matter pending before this Court awaiting counter affidavit on behalf of the respondents, the interest of justice shall be subserved if the petitioner is granted liberty to file a comprehensive representation before the District Collector, Rohtas at Sasaram with all supporting documents raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive 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 District Collector, Rohtas at Sasaram either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioner, after giving an opportunity of hearing to all concerned, by a reasoned and speaking order at an early date preferably within a period of three months from the date of filing of such representation.

If on consideration of materials and after hearing the parties, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him then consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merit of the claims raised on behalf of the petitioner in the present proceeding and this is left to be decided by the competent authority strictly according to law.

Writ petition stands disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

B.Tiwary / ajaypd./-

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