

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17789 of 2013

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Smt. Sheo Dulari Devi, Wife of Bijay Kumar Singh alias Ragho Prasad Singh and Daughter Of Late Krishna Kant Singh, Resident of Village-Bhadai-Matihani, P.S.- Hathauri Anchal- Aurai, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Collector of District, Muzaffarpur
3. The District Land Acquisition (Special) Officer, Ratwara, District-Muzaffarpur
4. The Circle Officer, Aurai, District- Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Adv.

For the Respondent/s : Mr. Krishna Chandra, AC to AG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 09-12-2015

Heard the parties.

In view of the nature of the grievances/claims raised on behalf of the petitioner in the present writ petition with respect to the lands claimed by her and in view of the fact that the representations filed on behalf of the petitioner before the respondent District Collector, Muzaffarpur and other authorities have not been disposed of till date, this Court is of the opinion that, instead of keeping the matter pending here for deciding the claims after examination of all the relevant materials, interest of justice shall be sub-served, if the petitioner is granted liberty to file a comprehensive representation with all supporting documents before the respondent District Collector, Muzaffarpur, 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 either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to all concerned, at an early date, preferably within a period of three months from the date of filing of such representation by the petitioner.

If on consideration of the materials, the respondent District Collector, Muzaffarpur or any other competent authority of the respondent State comes to a conclusion that the claims raised on behalf of the petitioner are admissible to her, then the 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 merits of the claims raised on behalf of the petitioner and the same is left to be decided either by the respondent District Collector, Muzaffarpur himself or by any other competent authority of the respondent State strictly in accordance with law.

The petitioner shall be at liberty to raise all the issues of facts and law before the respondent District Collector/competent authority with respect to the lands in question claimed by her.

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

(Birendra Prasad Verma, J)

Arvind/-

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