

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6838 of 2016

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Birendra Kumar Pandey son of Late Arjun Pandey, resident of Village-
Kenar Dih, Police Station- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gaya.
2. The District Magistrate, Gaya.
3. The Sub-Divisional Officer, Gaya.
4. The Deputy Collector, Land Reforms, Gaya.
5. The Circle Officer, Wazirganj, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Respondent/s : Mr. Gautam Kumar Yadav, AC to GP 26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 06-12-2016

Heard the learned counsel appearing on behalf of the petitioner and the learned AC to GP 26 appearing on behalf of the respondents.

2. In the present writ petition, the petitioner has raised a grievance that he has filed a petition (Annexure-1) before the respondent D.C.L.R., Gaya for fixation of fair rent with respect to the lands claimed by him, but the matter is not being taken to its logical conclusion.

3. The learned counsel appearing on behalf of the petitioner submits that an appropriate direction may be issued to the respondent D.C.L.R., Gaya for taking the matter to its logical conclusion at an early date. However, despite repeated queries made by this Court, he has not been able to show that under which provision of law, the petition on behalf of the petitioner, as contained Annexure-1, was filed before the respondent D.C.L.R., Gaya. He has further not been able to show that under which law power has been vested in the D.C.L.R., Gaya for deciding the



petition (Annexure-1) filed on behalf of the petitioner.

4. In above view of the matter, the relief(s) sought for on behalf of the petitioner is completely misconceived and cannot be countenanced. Hence the present writ petition is dismissed.

5. However, the petitioner shall be at liberty to file an appropriate petition under specified statute before the competent authority for grant of appropriate relief(s) to the petitioner with respect to the lands in question.

6. If such a petition 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 competent authority shall be obliged to decide the claims of the petitioner in accordance with law, but before passing any final order, opportunity of hearing must be given to all concerned including the petitioner, the concerned official(s) and the other private individuals, if any.

(Birendra Prasad Verma, J)

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