

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10222 of 2016

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Smt. Meena Kumari Singh D/o Late Raja Ram Prasad and W/o Devendra Prasad Singh, R/o Moh. - North Mandiri (Chhakkan Tola), P.O. and P.S. Buddha Colony, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Land Reformation and Revenue, Old Secretariat, Patna
2. The District Magistrate, Patna
3. The Circle officer, Sampat Chak Block, District - Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.

For the Respondent/s : Mr. Chhotelal Mishra, AC to GA-6

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 13-12-2016

Heard.

The grievance of the writ petitioner is that she filed an application before the Circle Officer, Sampatchak Distt.-Patna for measurement as also demarcation of the lands in question, fully detailed in paragraph-1 of the writ petition, but no consequential action has been taken till date.

Despite repeated query made by this Court, the learned counsel appearing on behalf of the petitioner has not been able to show that under what specified statute the Circle Officer has been vested with such power for measurement of the lands in question as also for demarcating the same.

In view of the nature of the grievances/ claims raised on behalf of the petitioner, this Court is of the opinion that no useful purpose shall be served by keeping the present matter pending any longer, rather interest of justice shall be sub-served if a liberty is granted to the petitioner to file an appropriate application before



the prescribed/competent authority under a specified statute for redressal of valid grievances of the petitioner with respect to the lands in question. It is ordered accordingly.

If such a petition is filed on behalf of the petitioner under a specified statute, mentioned therein, within a period of one month from today with a certified copy of the present order, then such competent / prescribed authority shall be obliged to initiate a proceeding under that specified statute and shall take it to its logical conclusion strictly in accordance with law, but before passing any final order, or taking any consequential action on the basis of the petition filed on behalf of the petitioner, an opportunity of hearing must be given to all concerned including the petitioner, concerned officials as also the other claimants, if any.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner with respect to the lands in question and this is left to be decided by the competent/prescribed authority strictly in accordance with law.

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

(Birendra Prasad Verma, J)

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