

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9182 of 2016

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Raj Nandan Jha son of Late Baldeo Jha, resident of village- Khutauna, P.O.-
Brantpur Birauli, Via Benipatti, P.S.- Benipatti, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna
3. The District Magistrate, Madhubani
4. The Deputy Development Commissioner, Madhubani, District- Madhubani
5. The District Rural Development Agency, Madhubani through the Deputy Development Commissioner, Madhubani, District- Madhubani
6. The Sub-Divisional Officer, Benipatti, Madhubani
7. The Circle Officer, Benipatti, District- Madhubani
8. The Block Development Officer, Benipatti, District- Madhubani
9. The Programme Officer, Mahatma Gandhi National Rural Employment Guarantee Aayojana Benipatti, District- Madhubani
10. The Panchayat Secretary, Gram Panchayat Raj, Salha, Block- Benipatti, District- Madhubani
11. The Mukhiya, Gram Panchayat Raj, Salha, Block- Benipatti, District- Madhubani
12. The Panchayat Rojgar Sevak, Gram Panchayat Raj, Salha, Block- Benipatti, District- Madhubani
13. The Panchayat Technical Officer, Gram Panchayat Raj, Salha, Block- Benipatti, District- Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Shankaram, Advocate
Mr. Rama Kant Singh, Advocate

For the Respondents : Mr. Ravindra Kumar, AC to AAG 10

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 01-06-2016

Heard the parties.

2. In view of the nature of grievances/claims raised on behalf of the petitioner with respect to the lands in question, fully detailed in paragraph 1 of the writ petition, this Court is of the opinion that in stead of keeping the matter pending asking the respondents to file their counter affidavit, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent District

Collector, Madhubani (respondent no.3) with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

3. 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, Madhubani, either himself or any other competent authority of the respondent State, as per his direction, 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 the petitioner as also the local authorities, besides others, if any, at an early date preferably within a period of two months from the date of filing of such comprehensive representation by the petitioner, in the manner indicated above.

4. If on consideration of the materials and after hearing the parties, the competent authority of the respondent State comes to a conclusion that the grievances/claims raised on behalf of the petitioner with respect to the lands in question are admissible to him, then consequential steps shall be taken for grant of such admissible claims without any unnecessary further delay.

5. The petitioner shall be at liberty to raise all the issues of facts and law, which may be available to him with respect to the lands in question, before the respondent District Collector, Madhubani.

6. 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 authority strictly in accordance with law.

7. The writ petition stands finally disposed of with

the observations and directions made above.

(Birendra Prasad Verma, J)

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