

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3540 of 2014

=====

Md. Mahtab Alam, Son Of Noor Alam, Resident Of Mohalla - Stadium Road, Ward No.22, P.O. Bahuara, P.S. Madhubani Town, District - Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Madhubani
3. The Deputy Collector, Land Reforms, Sadar, District - Madhubani
4. The Circle Officer, Kaluwahi District Madhubani
5. The Chairman, Bihar Bhudan Yagna Committee, Gardhani Bagh Road No.34, Quarter No.A/2, Patna - 2
6. The Karyalay Mantri District Bhoodan Yagna Office, Collectariate, District - Madhubani
7. Tetari Devi Wife Of Etbari Mehtar Resident Of Village - (Malmal) P.S. Kaluwahi District - Madhubani
8. The Circle Inspector, Block Kaluwahi P.S. Luluwahi, District - Madhubani
9. The District Revenue Officer - Cum - Deputy Collector, Madhubani
10. The Manager, Officer of the Raj Darbhanga Maharaj, District - Darbhanga

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
Mr.Anant Kumar Bhaskar, Adv.
Dr.Rajesh Kumar Singh, Adv.

For the Respondent/s : None

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioner. However, none appears on behalf of the respondents, though the names of the learned counsel appearing on their behalf are printed in the daily cause list.

In view of the nature of the grievances/claims raised on behalf of the petitioner with respect to the lands in question, fully detailed in paragraph 5 of the writ petition, and in view of the fact that no counter affidavit has been filed on behalf of the respondents till date, though the writ petition was filed way back

on 12.02.2014, this Court is of the opinion that, instead of keeping the matter pending here, the interest of justice shall be sub-served, if the petitioner is granted liberty to file an appropriate petition under the provisions of The Bihar Bhoodan Yagna Act, 1954 (in short 'Act, 1954') before the Revenue Officer i.e. District Collector, Madhubani for grant of appropriate relief(s) to the petitioner with respect to the lands in question. It is ordered accordingly.

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 respondent District Collector, Madhubani shall register a case under the provisions of the Act, 1954 and shall decide the same strictly in accordance with law, but, before passing any final order, an opportunity of hearing must be given to all concerned including the petitioner, the respondent no.7 and Bihar Bhoodan Yagna Committee, Patna and its functionaries.

The parties shall be at liberty to raise all the issues of facts and law, which may be available to them, before the respondent District Collector, Madhubani.

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 it is left to be decided by the District Collector, Madhubani strictly in accordance with law.

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

Arvind/-

(Birendra Prasad Verma, J)

U			
---	--	--	--