

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12761 of 2015

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Brajnandan Mishra, Son of Late Ram Sudhir Mishra, resident of village-
Paligote, P.S.- Benipatti, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Darbhanga Division, Darbhanga,
3. The Land Reforms Deputy Collector, Benipatti, Madhubani
4. Mr. Lalit Kumar Sinha, son of not known to the petitioner, presently
posted as Anchaladhikari Benipatti, District- Madhubani
5. The Officer Incharge, Benipatti, Police Station, District- Madhubani
6. Subhash Mishra, son of Late Kavi Kant Mishra
7. Indra Kanti Mishra, son of Late Jagdish Mishra
8. Surendra Mishra, son of Late Gauri Kant Mishra,
Respondent nos. 6 to 8 are resident of village- Paligote, P.S.- Benipatti,
District- Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.
Mr. Mohit Shrivastava, Adv.
Mr. Vijay Kumar, Adv.
For the Respondent/s : Mr. R.N. Dubey, AAG-12

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 08-03-2016 Heard learned counsel for the petitioner and learned
AAG-12 appearing on behalf of the respondent nos.1 to 5.

The grievance of the petitioner is that against the order dated 09.03.2015 passed in Case No.120 of 2014 by the respondent D.C.L.R., Benipatti under the provisions of The Bihar Land Disputes Resolution Act, 2009 (in short 'Act, 2009'), as contained in Annexure-1, the petitioner has filed Appeal No.170 of 2015 before the respondent Divisional Commissioner, Darbhanga under Section 14 of the Act, 2009, but that appeal is not being disposed of. Therefore, a prayer has been made that the respondent Anchal Adhikari, Benipatti may be restrained from demarcating the lands in question.

After having heard the parties, the writ petition is disposed of with a direction to the respondent Divisional Commissioner, Darbhanga to take up the aforesaid Appeal No.170 of 2015 on priority basis and all endeavours should be made to dispose of the same at an early date preferably within a period of three months from the date of receipt/production of a copy of this order.

The petitioner shall be at liberty to make a prayer for interim protection, if so required.

The parties shall be at liberty to raise all the issues of facts and law before the appellate authority with respect to the lands in question.

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

(Birendra Prasad Verma, J)

Arvind/-

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