

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24470 of 2013

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Dinesh Jha, Son Of Jai Narayan Jha, Resident Of Village- Doria, Police
Station- Kursakanta, District- Araria

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Araria
3. The Superintendent of Police, Araria
4. The D.I.G. Of Police, Purnea
5. The Executive Engineer, Rural Works Department, Araria
6. The Circle Officer, Kursakanta, Araria
7. The Officer-In-Charge, P.S. Kursakanta, Araria

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Adv.
Mrs. Tanuja Mishra, Adv.

For the Respondent/s : Mr. Biresh Kumar Sinha, AC to AAG-2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 07-01-2016 Heard the parties.

In view of the nature of grievances raised on behalf of the petitioner in the present writ petition with respect to the lands claimed by him, which have been detailed in paragraph 1 of the writ petition, and in view of the fact that the representation filed on behalf of the petitioner for redressal of his valid grievances has not been disposed of till date and also taking into consideration the averments made in the counter affidavit filed on behalf of the respondent nos. 2 and 6, this Court is of the opinion that the entire matter requires reconsideration, at the first instance, by the respondent District Magistrate-cum-Collector, Araria. In above view of the matter, the petitioner is directed to appear before the respondent District Magistrate-cum-Collector, Araria with a fresh comprehensive representation raising all the issues, which have been raised in the present writ petition, within a period of one

month from today.

If such a comprehensive representation is filed by the petitioner within the aforesaid period of time with a certified copy of the present order, then the respondent District Magistrate-cum-Collector, Araria either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order, after giving an opportunity of hearing to the petitioner, besides others, at an early date, preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims without any unnecessary further delay.

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

Arvind/-

(Birendra Prasad Verma, J)

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