

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13435 of 2013

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Ganesh Sharma Son Of Late Ramlakhan Sharma Resident Of Village- Hussaini,
P.S.- Dumariya, District- East Champaran At Motihari

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Land Reforms And Revenue, Bihar,
Patna
3. The District Magistrate, East Champaran At Motihari
4. The Circle Officer, Kesariya, East Champaran At Motihari
5. Most. Rajkali Devi Wife Of Late Sikil Malli Resident Of Village- Hussaini, P.S.-
Dumariya, District- East Champaran At Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. SANJAY KUMAR

For the Respondent/s : Mr. RAJESH KR. VERMA

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 11-03-2016

Heard the counsel for the petitioner and the State.

The application prays for quashing of the notice
(Annexure-2), issued by the Circle Officer directing the petitioner to
give the possession of the land to the allottee (respondent no. 5).

The contention of the petitioner is that no proceeding for such
allotment/settlement was initiated in which the petitioner or his
ancestor was provided an opportunity to file reply. The land remains
in continuous possession of the petitioner which was purchased by
his grand father. On receipt of the notice, the petitioner filed a
representation before the Circle Officer (Annexure-3) setting out the
case.

Having heard the parties and on perusal of materials on record, the application is disposed of by the following order:

Let the petitioner file a fresh copy of the application (Annexure-3), along with the copy of this order before the respondent Circle Officer within three weeks, whereafter the said respondent shall consider the same and pass appropriate order in accordance with law, which shall be communicated to the petitioner. Upon filing of the application/representation, the respondent-State shall maintain a status quo as existing on the said date till disposal of the application/representation as directed above.

(Kishore Kumar Mandal, J)

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