

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9890 of 2015

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1. Parmanand Sah
2. Babu Saheb Sah, Both are sons of Chotey Lal Sah, Both are resident of Raipur P.S. + P.S. - Ujjiarpur, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar, through Collector Samastipur.
2. Dy. Collector Land Reforms Dalsiggsarai, District - Samastipur.
3. Circle Officer, Ujjiarpur Block Dalsingsarai, District - Samastipur.
4. Umashnkar Sah, Son of Late Hari Lal Sah,
5. Ganesh Sah,
6. Mahesh Sah, Both are sons of Uma Shankar Sah, All are R/o Raipur, P.O. + P.S. - Ujjiapur, District - Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratan Kumar Sinha
For the Respondent/s : Mr. Sunil Kr. Mandal, SC-14
Mr. Arjun Prasad, AC to SC-23

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 19-04-2016 Heard the parties.

The grievance of the petitioners is that the order dated 11.01.2014 passed in Case No. 88 of 2013 by the respondent D.C.L.R., Dalsingsarai, the competent authority, allowing the aforesaid case filed on behalf of the petitioners under the provisions of The Bihar Land Disputes Resolution Act, 2009 (In short 'the Act, 2009'), is not being implemented despite the request made by the petitioners to the authorities concerned.

Under the scheme of the Act, 2009, the final order passed by the competent authority if that is not reversed and set aside by the appellate authority, then that order is required to be implemented by the competent authority himself by exercising his powers under Section 15 of the Act, 2009.

In above view of the matter, the petitioners are directed to appear before the competent authority i.e. the respondent

D.C.L.R., Dalsingsarai by filing an appropriate petition under Section 15 of the Act, 2009.

If such a petition is filed on behalf of the petitioners within a period of one month from today with a certified copy of the present order then the respondent D.C.L.R., Dalsingsarai shall be obliged to consider and decide the same and shall take it to its logical conclusion as per the provisions of Section 15 of the Act, 2009, but before passing appropriate final order, an opportunity of hearing must be given to the petitioners besides others, if any.

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

(Birendra Prasad Verma, J)

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