

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6718 of 2013

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1. Gayatri Devi W/o Late Amar Kishore Prasad, Resident Of Village- Mansa Raut (Bari Tola), P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. Of Bihar, Patna
2. The Chief Secretary, Govt. Of Bihar, Patna
3. The Principal Secretary, Revenue And Land Reforms Department, Govt. Of Bihar, Patna
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur
5. The Collector-Cum-District Magistrate, West Champaran at Bettiah
6. The Sub Divisional Officer, Bettiah Sadar, Bettiah, West Champaran
7. The Anchal Adhikari, Bettiah Anchal, Bettiah, West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjee Kumar, No. 1

For the Respondent/s : Mr. Prabhat Ranjan, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 03-02-2016

Heard Mr. Sanjeev Kumar, the counsel for the petitioner and Mr. Prabhat Ranjan, AC to GP-12, the counsel for the State.

Under challenge in this writ petition is the order dated. 01.04.2012, passed by the Collector, West Champaran, in Appeal No. 130/2006-2007, which was preferred by the husband of the petitioner. During pendency of the appeal, he died and was substituted by the petitioner and her son. The settlement was made in favour of the petitioner while the husband was alive, this was found invalid/illegal under the impugned order. However, the settlement of 12 ½ decimals of homestead land in favour of the

husband of the petitioner has not been interfered with. The collector has also noted that apart from the homestead land, the husband of the petitioner was settled 1.77 acres of government land for agriculture purpose.

Mr. Sanjeev Kumar after having argued at some length states that the grievance can be agitated before the Divisional Commissioner and as such the petitioner be granted liberty to approach the said authority for redressal of her grievance. In this connection, he has highlighted that at least on two occasions, the husband of the petitioner had assailed the order passed by the Collector before the Divisional Commissioner and some relief was granted.

Considering thus, the application stands disposed of with liberty to the petitioner to approach the Divisional Commissioner for redressal of her grievance in accordance with law.

If any such application is filed within three weeks before the Divisional Commissioner, it is expected that the same shall received due consideration and disposal at the earliest by the respondent.

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(Kishore Kumar Mandal, J)

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