

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17863 of 2013

Kumari Rashmi Wife Of Arun Kumar Singh Resident Of Village - Anandpuri  
Khagaul, P.O. And P.S. Khagaul, District - Patna

.... .... Petitioner/s

Versus

1. The State Of Bihar through District Magistrate, Patna
2. The Sub - Divisional Officer, Danapur, Patna
3. The Deputy Commissioner Land Reforms, Danapur, Patna
4. The Circle Officer, Danapur, Patna
5. Poonam Sharma Wife Of Kamlesh Kumar Resident Of Village - Prakash Nagar,  
In Front Of New Nalanda Biscuit Factory, Near Sabajpura, P.S. Phulwarisharif,  
District - Patna

.... .... Respondent/s

Appearance :

For the Petitioner/s : Mr. SOURENDRA PANDEY

For the Respondent/s : Mr. DINBANDHU SINGH

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 18-05-2016

Heard the counsel for the petitioner, the State as well as the private respondent.

Impugned in this writ petition is the notice issued to the petitioner by the respondent Deputy Collector, Land Reforms in Land Disputes Case No. 27 of 2013-14. Without filing any response thereto raising objection to the maintainability of the proceeding before the respondent Deputy Collector, Land Reforms, the writ petition has been filed challenging the legality of the notice. Diverse submissions have been made in support of the application, some of which have been strongly disputed by the private respondent. This Court, however, would not notice those submissions as the petitioner is required to appear in the said proceeding and file an application raising objection to the maintainability of the petition in the light of the facts disclosed in the writ petition which includes an

order which is said to have been passed under the Code of Criminal Procedure and also the fact that the suit with respect to subject land is pending between the parties in the civil court.

Let the petitioner appear in the proceeding and file a reply to the notice which if so filed shall be considered by the respondent Deputy Collector, Land Reforms in accordance with law. If any objection is filed with respect to maintainability of the application, the respondent Deputy Collector, Land Reforms shall consider the objection of the petitioner and decide the same in accordance with law.

**(Kishore Kumar Mandal, J)**

HR/-

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