

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1646 of 2015

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1. Md. Mumtaz Alam @ Md. Memtaz Alam, son of late Sairuddin.
2. Md. Habibur Rahman, son of late Abdul Jalil.
Both residents of village- Joharpur, P.s. Barsoi, District- Katihar.
3. Md. Khalilur Rahman, son of Late Osiuddin.
4. Md. Mukhtar, son of late Tasiruddin.
Both residents of village- Maulanapur. P.S. Barsoi, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Katihar.
3. The Additional Collector, Ceiling, Katihar, District- Katihar.
4. Deputy Collector, Land Reform Barsoi, District- Katihar.
5. Circle officer, Barsoi, District- Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Adv.

For the Respondent/s : Mr. Lalan Kumar, AC to GP-9

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 18-11-2016

Heard the parties.

Despite the orders/directions dated 30.01.2015 passed by a Co-ordinate Bench of this Court, the learned State counsel appearing on behalf of the respondents has not been able to obtain instructions and file a counter affidavit.

In view of the nature of the grievances/claims raised on behalf of the petitioners in the present writ petition, this Court is of the opinion that no useful purpose shall be served by keeping the present matter any longer, rather the interest of justice shall be sub-served, if the petitioners are granted liberty to raise all the issues before the respondent District Collector, Katihar, which have been raised in the present writ petition. It is ordered accordingly.

If an appropriate comprehensive petition is filed on

behalf of the petitioners before the respondent District Collector, Katihar within a period of six weeks from today with a certified copy of the present order, then the respondent District Collector, Katihar either himself or any other competent authority of the respondent State, as per his direction, shall be obliged to consider and decide the claims raised on behalf of the petitioners strictly in accordance with law by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the petitioners and the other private individuals, if any, at an early date, preferably within a period of four months from the date of filing of such petition by the petitioners.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioners in the present writ petition and the same is left to be decided by the competent authority strictly in accordance with law.

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

(Birendra Prasad Verma, J)

Arvind/-

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