

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12989 of 2014

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1. Chaturbhuji Singh son of Late Gobardhan Singh
 2. Ram Bhujji Singh son of Late Gobardhan Singh
 3. Haribhuji Singh son of Late Gobardhan Singh
 4. Janardan Singh son of Late Brij Bhushan Singh
 5. Mithu Singh
 6. Abhay Kumar Singh @ Abhay Singh
 7. Pramod Kumar Singh

Petitioner Nos. 5 to 7 are sons of Late Ran Bahadur Singh

8. Vijay Bahadur Singh son of Late Kalika Singh
9. Hari Kishun Singh
10. Kashi Nath Singh

Petitioner Nos. 9 and 10 are sons of Late Raja Singh

All the petitioners are residents of village- Gurura, P.S.- Kudara,
District- Kaimur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Kaimur
3. The Deputy Collector Land Reforms, Mohania, District Kaimur
4. The Anchaladhikari, Kudara, District Kaimur
5. The Officer Incharge Kudra, District- Kaimur
resident of village Pandeharia, P.S.- Mohania, District- Kaimur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Animesh Kumar, Advocate

Mr. Arabind Nath Pandey, Advocate

For the Respondents : Mr. Shashi Shekhar Pd.Sinha, AC to GA

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 27-10-2016

Heard the parties.

2. The petitioners have filed the present writ petition assailing the validity and correctness of the communication/letter dated 10.03.2014 issued by the Anchal Adhikari, Kudra, Kaimur to the Officer-in-charge, Kudra directing therein for maintaining status quo over the lands in question till further order is passed by the District Collector, Kaimur (Bhabua).

3. Apparently, the impugned communication/letter is

an interlocutory in nature only for maintaining status quo over the lands in question till final order is passed by the District Collector, Kaimur (Bhabua). After the aforesaid communication/letter dated 10.03.2014 more than two and half years have elapsed.

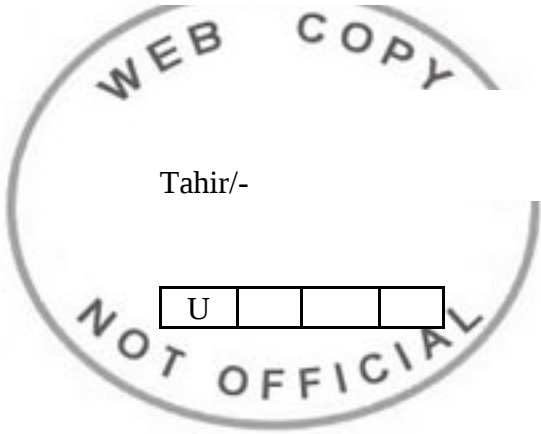
4. From the pleadings of the parties, it is apparent that at the relevant time some lis was pending before the District Collector, Kaimur (Bhabua), but the parties are not in position to inform this Court about the final order passed by the District Collector, Kaimur (Bhabua).

5. In above view of the matter, the present writ petition is disposed of with a liberty to the petitioners to approach the respondent District Collector, Kaimur (Bhabua) by filing an appropriate petition raising all the issues, which have been raised in the present writ petition, with respect to the lands in question.

6. If such a petition/representation is filed on behalf of the petitioners before the respondent District Collector, Kaimur (Bhabua) within a period of one month from today with a certified copy of the present order, then he shall be obliged to consider the valid grievances of the petitioners with respect to the lands in question as also the impugned communication/letter dated 10.03.2014 issued by the Anchal Adhikari, Kudra, as contained in Annexure-3 to the writ petition, but before passing any final order reasonable opportunity of hearing must be given to all concerned including the petitioners and other private individuals, if any.

7. This is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioners with respect to the lands in question and this is left to be decided by the District Collector, Kaimur (Bhabua) in accordance with law.

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



(Birendra Prasad Verma, J)