

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20097 of 2014

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1. Ramanand Dhangar Son of Late Ram Lakhan Dhangar
2. Ganpat Dhangar, Son of Late Jairam Dhangar
3. Rahul Dhangar, Son of Late Amirka Dhangar
4. Prem Dhangar, Son of Late Ram Kishun Dhangar
5. Most Teri, Wife of Rajam Dhangar
6. Lalan Dhangar, Son of Late Ram Bachan Dhangar
7. Horil Dhangar Son of Sanichar Dhangar
8. Mostt. Sita Wife of Late Vikram Dhangar
9. Bihari Dhangar, Son of Late Gopal Dhangar
10. Shiv Kumar Dhangar Son of Late Singasan Dhangar
11. Mostt. Anita Wife of Late Dhrup Dhangar
12. Yogendra Dhangar Son of Late Bangali Dhangar
13. Shrawan Dhangar Son of Late Mansoor Dhangar
14. Sikandar Dhangar Son of Chhotelal Dhangar
15. Nandlal Dhangar Son of Late Babulal Dhangar
16. Ramkeshwar Dhangar Son of Ram Ratan Dhangar
17. Mahendra Dhangar Son of Late Bangali Dhangar
18. Rita Devi Wife of Shivnath Ramayan Dhangar
19. Paras Dhangar Son of Late Gulchan Dhangar
20. Most. Ramkali Widow of Late Jamuna Dhangar
21. Mostt. Bagari Devi Widow of Late Bikau Dhangar
22. Badri Dhangar, Son of Shivtahar Dhangar
23. Kanhai Dhangar Son of Jalmaran Dhangar
24. Most. Chandjyoti Wife of Shankar Dhangar
All residents of Kargahiya (East), I.T.I. (Dhangar Toli), P.S. - Bettiah,
District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Collector, West Champaran at Bettiah.
3. Additional Collector, West Champaran at Bettiah.
4. Deputy Collector Land Reforms, Bettiah Sadar, West Champaran.
5. Anchal Adhikari, Bettiah Anchal, West Champaran.
6. Manager, Bettiah Raj, P.S. - Bettiah Town, District- West Champaran.
7. Deputy Inspector General of Police, Sector Headquarter S.S.B.,
Muzaffarpur.
8. District Land Acquisition Officer, West Champaran.
9. Rajalal Dhangar Son of Late Damari Dhangar
10. Lal Babu Dhangar Son of Late Gauri Dhangar
11. Mostt. Antiya, Wife of Vikram Dhangar
12. Mangani Dhangar Son of Late Laxman Dhangar
13. Seema Devi Wife of Laxman Dhangar
14. Santosh Dhangar Son of Late Ram Kishun Dhangar
15. Suresh Dhangar Son of Late Rajendra Dhangar
16. Fulena Dhangar Son of Late Shri Dhangar
17. Shivnath Dhangar Son of Babulal Dhangar
18. Sukhal Dhangar Son of Late Sanichari Dhangar
19. Rina Devi Wife of Surendra Dhangar

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20. Pramod Dhangar Son of Late Ram Kishun Dhangar
 21. Devanand Dhangar Son of Late Ram Lakhan Dhangar
 22. Sanjay Dhangar Son of Grahana Dhangar
 23. Sukhali Devi Wife of Lalbabu Dhangar
 24. Raju Dhangar Son of Late Damari Dhangar
 25. Mostt. Premi Wife of Late Siv Kumar Dhangar
 26. Lalita Devi Wife of Panna Lal Dhangar
 27. Mostt. Pachiya, Wife of Bhikhar Dhangar
 28. Amresh Dhangar Son of Late Ram Krishna Dhangar
 29. Pappu Dhangar Son of Late Mansoor Dhangar
 30. Kalawati Devi Wife of Manju Dhangar
 31. Jogendra Dhangar Son of Late Banga Li Dhangar
 32. Ramesh Dhangar Son of Late Ramchandra Dhangar
 33. Mahdeo Dhangar Son of Late Bagar Dhangar
 34. Lalbabu Dhangar Son of Late Chandra Dhangar
 35. Manoj Dhangar Son of Late Dip Dhangar
 36. Most. Ramkali Devi Wife of Late Hari Dhangar
 37. Kapil Dhangar Son of Late Shri Dhangar
 38. Suresh Dhangar Son of Late Mahavir Dhangar
 39. Gulaichi Devi Wife of Ramayan Dhangar
 40. Ramnath Dhangar Son of Late Bhadai Dhangar
 41. Lalbahadur Dhangar, Son of Late Rambachan Dhangar,
 42. Prasad Dhangar, Son of Lakhan Dhangar,
 43. Geeta Devi Wife of Rajesh Dhangar,
 44. Bulu Dhangar, Son of Late Saryug Dhangar,
 45. Mostt. Samargia Wife of Late Prasad Dhangar,
 46. Hiralal Dhangar, Son of Late Ramlakhan Dhangar,
 47. Basatiya Devi Wife of Rajan Dhangar,
 48. Satan Dhangar, wife of Late Badi Dhangar,
 49. Mostt. Bagadi Wife of Late Sita Ram Dhangar,
 50. Rita Devi Wife of Shri Kishun Dhangar
 51. Mandhia Devi Wife of Bhimal Dhangar,
 52. Sumitra Devi Wife of Motilal Dhangar,
 53. Bedami wife of late Bagar Dhangar,
 54. Mostt. Ramkali wife of Late Laxmi Dhangar,
 55. Nageshwar Dhangar, Son of Late Mohram Dhangar,
 56. Rabindra Dhangar, Son of Late
 57. Laljee Dhangar, Son of Late Mahavir Dhangar,
 58. Sukan Dhangar, Son of Late Etwar Dhangar,
 59. Fulena Dhangar, Son of Late Rambachan Dhangar,
 60. Deonath Son of Late Lagan Dhangar,
 61. Babu Nand Dhangar, Son of Late Lakhan Dhangar,
 62. Mostt. Ramkali wife of Late Shiv Dhangar,
 63. Mostt. Tara Wife of Late Amirka Dhangar,
 64. Aniya Devi Wife of Gorakh Dhangar
 65. Yadu Dhangar, Son of Late Babulal Dhangar,
 66. Jhankari Wife of Late Amirka Dhangar, Son of Late Deoki Dhangar
 67. Naresh Dhangar, Son of Ram Krishna Dhangar
 68. Nanhak Dhangar, Son of Ram Krishna Dhangar
 69. Most. Deokali Dhangar Wife of Shivcharan
 70. Janki Devi Wife of Maju Dhangar
 71. Satwati Devi Wife of Ramlal Dhangar

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72. Mostt. Bipia, Wife of Late Laldeo Dhangar,
 73. Amir Dhangar, Son of Late Hari Dhangar,
 74. Vinod Dhangar, Son of Late Gopal Dhangar,
 75. Gulgul Dhangar, Son of Late Mohram Dhangar
 76. Satan Dhangar, Son of Late Badri Dhangar
 77. Kalawati Devi Wife of Muju Dhangar
 78. Mostt. Somari, Wife of Late Bhaiya Ram Dhangar,
 79. Parwati Devi Wife of Madan Dhangar,
 80. Prem Dhangar, Son of Late Ram Kisun Dhangar
 81. Mostt. Kotari Wife of Late Bindeshwari Dhangar null
 82. Mostt. Antiya, Wife of Late Mahavir Dhangar,
 83. Guylab Dhangar, Son of Late Nathuni Dhangar,
 84. Sigarsan Dhangar, Son of Late Dukhan Dhangar,
 85. Nandlal Dhangar, Son of Late Babulal Dhangar,
 86. Sonu Dhangar, Son of Late Mansoor Dhangar,
 87. Ramesh Dhangar, Son of Yogendra Dhangar,
 88. Rambrit Dhangar, Son of Sahdeo Dhangar,
 89. Mostt. Hiramati Wife of Late Shambhu Dhangar,
 90. Sahordi Devi Wife of Mangal Dhangar,
 91. Ramesh Dhangar, Wife of Banshi Dhangar,
 92. Harinarayan Dhangar, Son of Late Mohram Dhangar,
 93. Kailash Dhangar Son of Chhathu Dhangar
 94. Jitendra Dhangar, Son of Late Ram Bachan Dhangar,
 95. Chhathu Dhangar, Son of Late Mohram Dhangar,
 96. Hiramati Devi Wife of Shankar Dhangar,
 97. Kunti Devi Wife of sadhu Dhangar,
 98. Sita Devi Wife of Bikau Dhangar,
 99. Hiralal Dhangar, Son fo Late Ramji Dhangar,
 100. Nagina Dhangar, Son of Sanichar Dhangar,
 101. Mostt. Antiya, Wife of Late Mahavir Dhangar,
 102. Gopal Dhangar, Son of Late Vikram Dhangar,
 103. Santosh Dhangar, Son of Late Vishwanath Dhangar,
 104. Ramnath Dhangar, Son of Late Bhadai Dhangar,
 105. Mostt. Chandrawati Devi Wife of Late Mahesh Dhangar,
 106. Laichi Devi Wife of Ramayan Dhangar, null
 107. Madan Dhangar, Son of Late Badri Dhangar,
 108. Lal Babdur Dhangar, Son of Late Lal Bachan Dhangar,
 109. Jarkishor Dhangar, Son of Late Deonath Dhangar,
 110. Mostt. Ahilya Wife of Late Dinesh Dhangar,
 111. Sukhali Devi Wife of Lalbabu Dhangar,
 112. Deolal Dhangar, Son of Late Shankar Dhangar,
 113. Mostt. Nagina Wife of Late Rajendra Dhangar,
 114. Hiralal Dhangar, Son of Late Damari Dhangar, null
 115. Rajesh Dhangar, Son of Ram Kisun Dhangar,
 116. Shobha Devi Wife of Dipak Dhangar,
 117. Madan Dhangar, Son of Late Badri Dhangar,
 118. Pramod Dhangar, Son of Ram Sharan Dhangar,
 119. Mostt. Kotari Wife of Bindeshwari Dhangar,
 120. Chandjyoti Devi Wife of Shankar Dhangar,
 121. Motilal Dhangar, Son of Late Ramji Dhangar,
 122. Chhotelal Dhangar, Son of Late Sita Ram Dhangar,
 123. Jamir Dhangar, Son of Hari Dhangar,

124. Kishun Dhangar, Son of Chhotelal Dhangar,
 125. Ramawati Devi Wife of Mohram Dhangar,
 126. Mahdeo Dhangar, Son of Late Bhadai Dhangar,
 127. Bedami Devi Wife of Nandu Dhangar,
 128. Vijay Dhangar, Son of Garhan Dhangar,
 129. Pachiya Devi Wife of Bhikhar Dhangar,
 130. Chandrawali Dhangar, Son of Late Chhathu Dhangar,
 131. Rajbanshi Son of Baldeo Dhangar,
 132. Sukhal Dhangar, Son of Sanichari Dhangar,
 133. Mostt. Rampai Kunwar, Wife of Ithari Dhangar,
 134. Nandan Dhangar, Son of Ram Sharan Dhangar,
 135. Bunni Lal Dhangar, Son of Late Shankar Dhangar,
 136. Sukhali Devi Wife of Raghunath Dhangar,
 137. Birbahadur Dhangar, Son of Late Rambachan Dhangar,
 138. Garib Dhangar, Son of Hari Dhangar,
 139. Manoj Dhangar, Son of Bagar Dhangar,
 140. Jokhu Dhangar, Son of Late Ram Lal Dhangar,
 141. Nandlal Dhangar, Son of Late Ramlal Dhangar,
 All residents of Kargahiya (East), I.T.I. (Dhangar Toli) P.S. - Bettiah,
 District- West Champaran.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Dev Kumar Pandey, Adv.
 For the Respondent nos.1to5 : Mr. Sudhir Kumar Singh, AC to SC-23

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 24-10-2016 Heard the learned counsel for the petitioners and the learned AC to SC-23 appearing on behalf of the respondent nos.1 to 5.

The only grievance of the petitioners in the present writ petition, filed under Article 226 of the Constitution of India, is that Jamabandi Cancellation Case No.424 of 2013-14 as also Jambandi Cancellation Case No.5 of 2009-10 are pending before the respondent Additional Collection, West Champaran at Bettiah for a quite long time, but for the reasons best known to the respondent Additional Collection, West Champaran at Bettiah those Jamabandi Cancellation Cases are not being taken to their logical conclusion.

The learned counsel appearing on behalf of the petitioners submits that those Jamabandi Cancellation Cases have been admitted by the respondent Additional Collector, West Champaran at Bettiah and notices have been issued to the parties, but the same are not being finally disposed of.

A counter affidavit has been filed on behalf of the respondent nos.2 to 5. The learned State counsel appearing on behalf of the respondent nos.1 to 5, by referring to the averments made in the aforesaid counter affidavit, submits that the aforesaid two Jamabandi Cancellation Cases are still pending before the respondent Additional Collector, West Champaran at Bettiah and have not been disposed of till date. However, he submits that, if the parties cooperate, then the aforesaid two Jamabandi Cancellation Cases shall be disposed of preferably within a period of three months.

In view of the nature of the grievances/claims raised on behalf of the petitioners in the present writ petition and in view of the fair stand taken by the learned State counsel, this Court is of the opinion that the notices are not required to be issued to the private respondent nos.6 to 141 as at the moment the petitioners are not seeking any relief against them. They simply want disposal of the aforesaid two Jamabandi Cancellation Cases pending before the respondent Additional Collector, West Champaran at Bettiah expeditiously.

In above view of the matter, the respondent Additional Collector, West Champaran at Bettiah is directed to take up the aforesaid Jamabandi Cancellation Case No.424 of 2013-14 as also Jamabandi Cancellation Case No.5 of 2009-10 on priority basis and all endeavours shall be made to dispose of the

same at an early date preferably within a period of three months from the date of receipt/production of a copy of this order. However, before passing any final order, reasonable opportunity of hearing must be given to the petitioners as also the private respondent nos.6 to 141, besides others, if any.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the parties with respect to the lands in question and it is left to be decided by the respondent Additional Collector, West Champaran at Bettiah or any other statutory authority 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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