

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10231 of 2007

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Amar Kumar Jha son of Late Gauri Shankar Jha, resident of Village Phulhara, P.S. and Circle Sighiya, District Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Samastipur
3. The Circle Officer, Singhia Circle, District Samastipur
4. Md.Sifayat
5. Md.Bachchu
6. Md.Jalil

Respondent nos. 4 to 6 are sons of Md.Ismail and resident of village Lilhaul, Pole-Gujra, P.S. and Circle Singhia, District Samastipur

7. Najir son of Suleman, resident of Village Hari Nagar, Tole Chatar, P.S.and Circle Kusheshwar Asthan,District Darbhanga at present Village Lilhaul, Tola Gujra, P.S. and Circle Singhia, District Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kr.Verma, Advocate '

For the Respondent Nos. 1 to 3 : Mr. Sanjay Kumar, AC to AAG 4

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 26-07-2016 Heard the learned counsel appearing on behalf of the petitioner and the learned AC to AAG 4 appearing on behalf of the respondent nos. 1 to 3. However, none appears on behalf of the private respondents, though notices were issued to them by order dated 16.02.2009 by a Bench of this Court.

The grievance of the petitioner in the present writ petition filed under Article 226 of the Constitution of India is against the order granting Basgit parcha in favour of the private respondents by order dated 24.12.2002 in Basgit Parcha Case No.66 of 2002-2003. The petitioner filed Misc. Case No. 690 of 2003 before the District Collector, Samastipur for quashing the aforesaid order dated 24.12.2002, but till date that matter has not been disposed of.

The present writ petition was filed way back on

10.08.2007, but till date no counter affidavit has been filed either on behalf of the State authorities or on behalf of the private respondents controverting the averments made in the writ petition.

In view of the nature of grievances/claims raised on behalf of the petitioner in the present writ petition, the petitioner is directed to appear before the District Collector, Samastipur with a certified copy of the present order within a period of two months from today, whereafter the District Collector, Samastipur shall take up the aforesaid Misc.Case no. 690 of 2003 on priority basis, if not already disposed of, and shall make all endeavours to dispose of the same at an early date preferably within a period of three months from the date of appearance of the petitioner in the manner indicated above, but before passing any final order, opportunity of hearing must be given to all concerned including the petitioner and the private respondent nos. 4 to 7, besides others, if any.

The writ petition stands finally disposed of with the observations and directions made above. However, the parties are left to bear their own costs.

(Birendra Prasad Verma, J)

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