

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24524 of 2013

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Smt. Sone Laxami Devi W/O Shri Kalikant Jha, D/O Late Raj Deo Jha
Resident of Village - Tamaria, P.S. Lakhnour, District - Madhubani
..... Petitioner/s

Versus

1. The State of Bihar, through the Collector, Madhubani
2. The Anchal Adhikari Lakhnour Block, District - Madhubani
3. The Halka Karamchari, Lakhnour Block - District - Madhubani
4. Baidhnath Jha Son of Late Rajdeo Jha, Resident of Village - Tamaria,
P.S. Lakhnour, District - Madhubani
5. Vijay Kumar Jha Son of Late Rajdeo Jha, Resident of Village - Tamaria,
P.S. Lakhnour, District - Madhubani
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratan Kumar Kumar
For the Respondent No.1 to 3 : Mr. Manikant Mishra, GP-25
Mrs. Neelam Prasad, AC to G.P. 25

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 08-01-2016 Heard the parties.

In view of the nature of grievances/claims raised on behalf of the petitioner in the present writ petition with respect to the lands, detailed in paragraph-1 of the writ petition, this Court is of the opinion that instead of issuing notice to the private respondents and keeping the matter pending for final disposal by this Court, the interest of justice shall be sub-served if the petitioner is granted liberty to approach the respondent Circle Officer under the provisions of The Bihar Land Mutation Act, 2011 (In short 'Act, 2011') by filing a proper petition in prescribed format, after impleading all necessary parties, for grant of appropriate relief. It is ordered accordingly.

If such a petition is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the respondent Circle Officer, Lakhnour shall be obliged to initiate a proceeding under the provisions of the

Act, 2011 and shall decide the same strictly in accordance with the provisions of the Act and Rules made thereunder, but before passing any final order, opportunity of hearing shall be given to all concerned including the petitioner as also the private respondents, besides others, if any.

The parties shall be at liberty to raise all the issues of facts and law, which may be available to them, with respect to the lands in question.

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

(Birendra Prasad Verma, J)

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