

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5395 of 2014

Sushila Devi Wife Of Tetar Das Resident Of Village Umash, Dewra Takiyapur,
P.O. Usar, Police Station Konch, District - Gaya

.... Petitioner/s

Versus

- 1. The State Of Bihar through District Magistrate, Gaya
- 2. Sub - Divisional Officer, Tekari, Gaya
- 3. Land Reforms Deputy Collector, Tekari, Gaya
- 4. Circle Officer, Konch Tekari, Gaya

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. RAJESH KUMAR SINGH
For the Respondent/s : Mr. SHEO SHANKAR PRASAD

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 05-10-2016

Heard both sides.

A counter affidavit is filed on behalf of respondent nos. 1 to 4.

In brief, the case of the petitioner is that some land was settled with her by the government in Land Settlement Case No. 14 of 2009-10(permit no.1). As the private respondent made a claim thereover, the petitioner approached the respondent Deputy Collector, Land Reforms under the Bihar Land Disputes Resolution Act, 2009 (for short 'the Act') which gave rise to Land Dispute Case No. 67 of 2011 on the file of the Deputy Collector, Land Reforms. After hearing the parties, the respondent Deputy Collector, Land Reforms, vide order dated 21.10.2012, directed the authority to measure and demarcate the settled land of the petitioner and to ensure that the same is made encroach-free. As the respondent has not taken steps to comply with the said order, the present writ application is filed.

In the counter affidavit, it is stated that over an area of 8190 sq. link of the settled land a deity of Siromani Sant Ravidas has been installed

with her consent over which some construction has also been made from the public representative fund. Remaining land measuring an area of 5312 sq. link is a vacant land which is for the use of beneficiary. The respondents have, however, initiated efforts to sort out the complex problem amicably as the Amin and Karamchari have also been entrusted the job who after measuring and demarcation of the land reported that 8190 sq. link of land is in possession of the petitioner and part of which is being used for devotional purposes. Actually, the petitioner herself, as per her wish, installed the statue/deity of Baba Ravidas.

Under section 15 of the Act, the authority who passed the order, is vested with the jurisdiction to take steps for execution of the order. If the petitioner is dissatisfied with the action taken by the respondent, she can approach the respondent Deputy Collector, Land Reforms for execution of the order.

Granting the said liberty to the petitioner, the writ application is disposed of.

(Kishore Kumar Mandal, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	10.2016
Transmission Date	