

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11468 of 2016

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1. Nand Kishore Singh,
2. Braj Kishore Singh,
3. Jai Kishore Singh. All sons of Late Kamleshwar Singh, all resident of Village- Goraul, Police Station- Amnour, Anchal- Amnour, District- Chapra(Saran).

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate cum Collector, Saran at Chapra.
2. The D.C.L.R. Marhawra, District Chapra.
3. The Subdivisional Officer, Marhawra, Dist. Chapra.
4. The Circle Officer, Amnour, District Chapra.
5. Parma Ram.
6. Sudarshan Ram, Both sons of Dahaur Ram.
7. Krishna Ram.
8. Ramayan Ram, Both sons of Panchhi Ram, 5 to 8 Resident of Village- Amnour Agyuan, Police Station- Amnour, Anchal- Amnour, District- Chapra (Saran).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.
For the Respondent Nos. 1 to 4: Mr. Ravi Kumar, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 13-12-2016 Heard the learned counsel appearing on behalf of the petitioners and the learned AC to GP-13, appearing on behalf of the respondent nos. 1 to 4.

In the present writ petition, the only grievance of the writ petitioners is that they filed Miscellaneous Case No. 7 of 2010 before the respondent District Collector, Saran at Chapra purportedly under Section 21 of The Bihar Privileged Persons Homestead Tenancy Act, 1947 (in short 'Act, 1947'), assailing the validity and correctness of the order dated 5.11.2003 passed by the respondent Circle Officer, Amnour, but that case is not being taken to its logical conclusion and the matter is being kept pending



unnecessarily for quite a long time.

In view of the nature of the grievances/ claims raised on behalf of the petitioners, this Court is of the opinion that no useful purpose shall be served by keeping the present matter pending any longer, rather the interest of justice shall be sub-served if an appropriate direction is issued to the respondent District Collector, Saran at Chapra to take up the aforesaid case No. 7 of 2003 filed on behalf of the petitioners under Section 21 of the Act, 1947, on priority basis 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 receipt/production of a copy of the present order. It is ordered accordingly.

It is clarified that the respondent District Collector, Saran at Chapra, before passing any final order in the aforesaid Case No. 7 of 2010, must give a reasonable opportunity of hearing to all concerned including the petitioners as also the respondent nos. 5 to 8, besides others, if any.

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

(Birendra Prasad Verma, J)

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