

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4055 of 2016

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1. Janardhan Prasad Yadav, Son of Late Rameshwar Prasad Yadav
2. Smt. Urmila Devi, Wife of Jangli Yadav
3. Smt. Kanti Devi, Wife of Bhubneshwar Prasad Yadav
All resident of Village Gokhulpur, P.S. K. Nagar, District Purnea.
..... Petitioner/s

Versus

1. The State of Bihar through the Collector, District Purnea.
2. The Collector, District Purnea.
3. The Additional Collector, District- Purnea.
4. The S.D.O. Sadar, Purnea. null null
5. The Deputy Collector Incharge Sadar, Purnea.
6. The D.C.L.R. Sadar, Purnea.
7. Sundar Yadav
8. Indar Yadav,
Both sons of Muni Yadav
Both resident of Village Gokhulpur, P.S. K. Nagar District Purnea.
9. Dinesh Mehta
10. Sadanand Mehta
11. Surendra Mehta
12. Upendra Mehta
All sons of Late Sant Lal Mehta
All residents of Village Gokhulpur, P.S. K. Nagar, District- Purnea.
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad, Adv.
Mrs. Zakia Ozair, Adv.
For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 15-11-2016 Heard the learned counsel for the petitioners.
However, none appears on behalf of the respondents, though the names of the learned State counsel and the other advocates appearing on behalf of the respondents are printed in the daily cause list.

The only grievance of the petitioners in the present writ petition is that, they filed a restoration petition vide Annexure-1 before the respondent District Collector, Purnea on 15.03.2014 for restoration of Revenue Appeal No.3 of 2001, but the aforesaid restoration petition is not being disposed of by the respondent District Collector, Purnea.

The learned counsel appearing on behalf of the petitioners submits that, in the factual matrices of the case, an appropriate direction may be issued to the respondent District Collector, Purnea for disposal of the aforesaid restoration petition pending since 15.03.2014.

As noticed above, none is appearing on behalf of the State of Bihar and its functionaries, though the name of the learned State counsel is printed in the daily cause list. Though, the writ petition was filed on 25.02.2016, but till date no counter affidavit has been filed on behalf of the respondent authorities controverting the averments made on behalf of the petitioners in the present writ petition.

In the aforesaid factual matrices of the case, the petitioners are granted liberty to appear before the respondent District Collector, Purnea with a certified copy of the present order within a period of one month from today, whereafter the respondent District Collector, Purnea shall take up the aforesaid restoration petition filed on behalf of the petitioners, if not already disposed of, on priority basis and all endeavours shall be made to dispose of the aforesaid restoration petition at an early date preferably within a period of two months from the date of appearance of the petitioners in the manner indicated above.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioners in the present writ petition and it is left to be decided by the respondent District Collector, Purnea in accordance with law.

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

Arvind/-

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(Birendra Prasad Verma, J)