

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18134 of 2010

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Most. Tetri Devi W/O Late Ramesh Sah R/O Vill.- Chamanpur, P.O.-
Chamanpur, P.S.- Sheohar, Distt.- Sheohar

.... Petitioner/s

Versus

1. The State of Bihar
2. Collector, Sheohar
3. The Superintendent of Police, Sheohar
4. The Sub Divisional Officer, Sheohar
5. The Deputy Superintendent of Police, Sheohar
6. The Circle Officer, Sheohar
7. The Block Development Officer, Sheohar
8. The Officer-in-Charge of Sheohar Police Station, Sheohar
9. Ganesh Thakur S/O Late Suryadeo Thakur R/O Vill.- Chamanpur, P.S.-
Sheohar, Distt.- Sheohar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nesar Ahmad, Advocate
Mr.Mrijunjay Kumar, Advocate

For the Respondent Nos. 1 to 8: Mr.Sanjay Kumar, AC to AAG 4

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 09-08-2016 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 8. However, none appears on behalf of the respondent no.9, though notice was issued to him by a Bench of this Court by order dated 08.11.2010.

The petitioner has filed the present writ petition for the reliefs enumerated in paragraph 1 of the writ petition, particularly for a direction to the respondents to ensure possession of the petitioner over the lands in question in view of issuance of Basgit parcha in her favour by order passed in B.P.P.H.T.Case No. 6 of 1973-74.

In the present case, a counter affidavit has been filed on behalf of the respondent nos. 2, 4 and 6. In paragraph 7 of the aforesaid counter affidavit it is asserted that the possession of the

petitioner over the lands in question was restored on 29.07.2011.

A copy of the aforesaid counter affidavit filed on behalf of the aforesaid respondents was served upon the learned counsel appearing on behalf of the petitioner way back on 26.09.2011, but till date no rejoinder affidavit has been filed on behalf of the petitioner controverting the averments made in the aforesaid counter affidavit.

In view of the averments made in the aforesaid counter affidavit that the possession of the petitioner over the lands in question has been restored, the present writ petition has become infructuous. It is accordingly dismissed.

However, it is clarified that if the petitioner is still having some grievance with respect to her possession over the lands in question, then she shall be at liberty to approach the 'competent authority' under the provisions of The Bihar Land Disputes Resolution Act, 2009 for grant of appropriate relief(s) with respect to the lands in question.

(Birendra Prasad Verma, J)

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