

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23489 of 2013

Jayanath @ Jagarnath Paswan Son of Horil Paswan Resident Of Village Kutubpur Ekara, P.S. Vaishali

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Vaishali
3. The Sub-Divisional Officer, Hajipur P.S. And Hajipur District Vaishali
4. The Deputy Collector Land Reforms, Hajipur , P.S. Hajipur District Vaishali
5. The Circle Officer, Hajipur, P.S. Hajipur, District Vaishali
6. Gudu Singh @ Amar Kumar Singh Son Of Late Vinay Singh Resident Of Village Kutubpur Ekara, P.S. And District Vaishali
7. Maheshwar Singh Son Of Late Ram Briksha Singh Resident Of Village Kutubpur Ekara, P.S. And District Vaishali
8. Chandeshwar Singh Son Of Late Jugeshwar Singh Resident Of Village Kutubpur Ekara, P.S. And District Vaishali

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. VIJAY KUMAR @ VIJAY KUMAR SINGH
For the Respondent/s : Mr. MANIKANT MISHRA

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 09-08-2016

Heard the learned counsel for the petitioner and the State.

A counter affidavit is filed on behalf of respondent no.5.

The petitioner wants possession of the land allegedly settled with him by the State respondent. The person who is in possession of the settled land is fighting litigation before the court in which the petitioner is also a party. In the context of this background, the respondent in para 8 and 9 of the counter affidavit has stated as under:-

“That in view of the aforesaid order passed by the Commissioner, Tirhut Division, Muzaffarpur in appeal in the present case, the Circle Officer, Hazipur by an order dated 10.01.2014 passed in Misc. Case



No. 35/2012-13, has stayed further action in this matter during the pendency of the above appeal pending before the Commissioner.

That, therefore, in view of the subsequent developments, at this stage, it would be difficult for the answering respondent to grant the relief in question, but as soon as the pending appeal before the Commissioner is finally decided the deponent will promptly take appropriate steps/action for redressal of the grievance of the petitioner.”

Satisfied with the said stand taken by the respondent, it is submitted on behalf of the petitioner that the writ application be disposed of.

Accordingly, the writ application stands disposed of.

(Kishore Kumar Mandal, J)

HR/-

U			
---	--	--	--