

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9924 of 2016

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Yogendra Yadav S/o Late Moti Yadav, Resident of village - Jankinagar,
P.O. + P.S. Jankinagar, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue & Land Reforms, Govt. of Bihar, Patna
2. The Collector, Purnea
3. The Dy. Collector Land Reforms, Purnea
4. The Sub - Divisional Office, Banmankhi, Purnea
5. The Circle officer, Banmankhi, Purnea
6. The officer - in - Charge, Jankinagar, P.S. Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhu Prasun, Adv.
Mr. Manoj Kr. Jha, Adv.

For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 29-11-2016

Heard.

The only grievance of the writ petitioner is that though, he has been granted homestead parcha under the provisions of The Bihar Privileged Persons Homestead Tenancy Act, 1947 with respect to the lands in question, yet some influential persons of the village, who have not been impleaded as party respondents in the present writ petition, have dispossessed him from the settled area of the lands.

In view of the nature of the grievances/ claims raised on behalf of the petitioner, the petitioner is granted liberty to file an appropriate petition before “the competent authority” under the provisions of The Bihar Land Disputes Resolution Act, 2009 (in short ‘Act, 2009’) for grant of appropriate relief(s) to the petitioner with respect to the lands claimed by him.

If such a petition is filed on behalf of the petitioner

within a period of one month from today with a certified copy of the present order, then the competent authority viz D.C.L.R. of the area concerned shall be obliged to initiate an appropriate proceeding under the provisions of the Act, 2009 and the Rules made thereunder, and shall further be obliged to take it to its logical conclusion in accordance with law, but before passing any final order, a reasonable opportunity of hearing must be given to all concerned including the petitioner and the other private individuals, against whom the petitioner is raising his grievances.

This is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner with respect to the lands in question and this is left to be decided by “the competent authority” strictly in accordance with law.

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

(Birendra Prasad Verma, J)

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