

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24588 of 2013

With
Interlocutory Application No. 6289 of 2014
And
Interlocutory Application No. 5360 of 2015

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Nagendra Prasad Singh Son of Late Ram Chandra Prasad Singh, Resident
of Village- Mahuri, P.S.- Nalanda, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Nalanda, Bihar Sharif
2. The Additional Secretary Revenue And Land Reforms Department,
Government of Bihar, Patna
3. The Circle Officer, Silao, District- Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha
For the Respondent/s : Mr. Ravindra Nath Dubey, AAG-12
For the Intervenors : Mr. N.K. Sharma
Mr. Arbind Kr. Singh
Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 08-01-2016 Heard the parties.

In view of the nature of grievances/claims raised on behalf of the petitioner in the present writ petition with respect to the lands in question, this Court is of the opinion that instead of asking the respondents to file their counter-affidavit and keep the matter pending for final disposal by this Court, the interest of justice shall be sub-served if the petitioner is granted liberty to approach the respondent Circle Officer under the provisions of The Bihar Land Mutation Act, 2011 (In short 'Act, 2011') by filing a proper petition in prescribed format, after impleading all necessary parties, for grant of appropriate relief. It is ordered accordingly.

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 respondent Circle Officer, Silao, Nalanda shall be obliged to initiate a proceeding under the provisions of the Act, 2011 and shall decide the same strictly in accordance with the provisions of the Act and Rules made thereunder, but before passing any final order, opportunity of hearing shall be given to all concerned including the petitioner as also the intervenors, besides others, if any.

The parties shall be at liberty to raise all the issues of facts and law, which may be available to them, with respect to the lands in question.

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

I.A. No. 6289 of 2013 and I.A. No.5360 of 2015 also stand accordingly disposed of.

(Birendra Prasad Verma, J)

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