

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8208 of 2017

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1. Ramalakshan Rai, S/o Late Ramdhyhan Rai
 2. Rajindra Rai, S/o Ramfal Rai
- Both Resident of village - Champapur Khas, P.S. Ghorasahan,
District - East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. The District Magistrate-cum-District Collector, East Champaran at Motihari.
 3. The Special Work Officer, East Champaran at Motihari.
 4. The Sub Divisional Officer, Sikharna (Dhaka), East Champaran at Motihari.
 5. The Land Reforms Deputy Collector, Sikharna, East Champaran at Motihari.
 6. The Circle Officer, Ghorasahan, East Champaran at Motihari.
 7. Laxman Ram, Son of Late Imrit Ram
 8. Vishwanath Baitha, Son of Late Ramchandra Baitha
- Private respondent nos. 7 & 8 are Resident of Village - Champapurmas,
P.S. - Ghorasahan, District - East Champaran at Motihari.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kishlay, Advocate
Mr. Sangeet Deokuliar, Advocate

For the Respondent/s : Mr. Rakesh Ranjan, AC to AAG-12.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 06-11-2017

Heard Mr. Dr. Kishlay, learned counsel for

the petitioners and Mr. Rakesh Ranjan, learned AC to AAG-12.

The present Writ application has been filed for a direction to the respondent authorities to provide full security and protection to the life and liberty of the petitioners and allow the petitioners to rip crop from the land in question. Further prayer has been made to direct the Collector, East Champaran at Motihari to conclude Revenue Appeal No. 04 of 1996-97 (Vidyanand Rai



Vs. The State of Bihar & Ors., which is pending in pursuance to the remand order dated 22.02.1996 passed in CWJC No. 11140 of 1994.

Learned counsel for the petitioners, at present, confines his prayer for the conclusion of the Revenue Appeal No. 04 of 1996-97 which is pending since last 20 years.

The factual matrix of the case is that the petitioners challenged the order dated 06.10.1994 passed in Ceiling Case No. 13 of 1973-74, whereby in Ceiling Case No. 13 of 1973-74 initiated against the landholder Mahanth Devchandra Das, the land of the petitioners were declared surplus under Section 15(1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of the Surplus Land) Act, 1961. Consequently, the petitioners filed application before the Collector which was disposed of by DCLR on 06.10.1994. The said order was quashed by a Bench of this Court vide order dated 22.02.1996 passed in CWJC No. 11140 of 1994, as contained in Annexure-1 of the writ application and the matter was remanded to Collector, East Champaran at Motihari but the same has been pending since then.

Learned counsel for the State submits that, at present, he is having no instruction whether the matter is



disposed of or not.

Considering the nature of order, this Court intends to pass, this Court is not inclined to adjourn the matter any further. It is expected from Collector, East Champaran to dispose of the Revenue Appeal No. 04 of 1996-97, if the same has not been disposed of till date, within a period of three months from the date of receipt/production of a copy of this order, after giving due opportunity to all the affected persons in accordance with the provisions of the law.

Accordingly, this Writ application is disposed of.

(Dinesh Kumar Singh, J)

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