

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17711 of 2016

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1. Nirmala Devi wife of Late Nand Kumar Thakur resident of Village -
Janardanpur, P.S. and Anchal - Kalyanpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department,
Bihar, Patna.
2. The Collector, Samastipur.
3. The Additional Collector, Samastipur.
4. Deputy Collector, Land Reforms, Samastipur.
5. Anchal Adhikari, Kalyanpur Anchal, District - Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Lal

For the Respondent/s : Mr. Md. Khurshid Alam- Aag12

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 09-08-2017 Heard the parties.

The grievance of the petitioner is that some lands of her father-in-law were declared surplus land and notification of lands, annexed as Annexure-2 to this petition, was issued but purcha regarding those lands, which were not declared surplus, were issued. It would appear that earlier petitioner approached this Court by filing CWJC No. 9038 of 2008 praying therein for issuance of direction to the concerned authorities to exchange the lands of petitioner from those lands which had not been declared surplus but the aforesaid writ petition bearing CWJC No. 9038 of 2008 was disposed of giving liberty to the petitioner to raise her



grievance before the Collector, Samastipur.

In pursuant to the direction given by this Court petitioner filed a petition before the Collector Samastipur, for exercising option but the aforesaid petition was dismissed for non prosecution on 30.12.2010.

However, in the present writ petition, petitioner does not raise the prayer of exchange of lands rather she only wants that the purcha should not be issued in respect of those lands which had not been declared surplus lands.

Learned counsel for the petitioner drew my attention towards Annexure- 3 to the petition and submitted that on 31.08.2016, petitioner has filed petition before the Collector Samastipur, disclosing this fact that the purcha has been issued in respect of those lands of petitioner which had not been declared surplus and accordingly, she prayed before the Collector Samstipur to restore her possession over those lands which have not been declared surplus land. Learned counsel for the petitioner fairly conceded this fact that the Collector Samstipur has not passed any order on the petition dated 31.08.2016.

In view of the aforesaid submissions as well as facts and circumstances of the case, this writ petition stands disposed of giving direction to the Collector Samastipur to dispose of petition



dated 31.08.2016 filed by the petitioner within three months after
giving opportunity of hearing to the petitioner.

(Hemant Kumar Srivastava, J)

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