

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5719 of 2017

=====

Praveen Mishra, Son of Sh. Ram Priti Mishra, Resident of Village- Pokhram,
Police Station- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue & Land Reforms, Government of Bihar, Patna.
2. The Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate, Darbhanga.
4. The District Forest Officer, Darbhanga.
5. The Superintendent of Police, Darbhanga.
6. The Sub-Divisional Officer, Darbhanga.
7. The Circle Officer, Biroul, District- Darbhanga.
8. The Station House Officer, Biroul Police Station, District- Darbhanga.
9. Pawan Kumar Chaudhary, Son of Late Badri Chaudhary, Resident of Village- Pokhram, Police Station- Biraul, District- Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha, SC19

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 24-09-2018

Heard Mr. Sanjay Kumar, learned counsel for the petitioner and Mr. Birendra Pratap Singh, learned AC to SC 19 for the respondent-State.

The present writ application has been filed for a direction to Respondent Nos. 7 to 9 not to make any construction over the land, appertaining to Plot No. 2124(old)/3076(new), Khesara No.275(old)/451(new), situated in Village Pokhram, Circle Biroul, District Darbhanga. Further prayer has been made for a direction to the respondent authorities not to disturb the petitioner on the part of the land in



question over which he is residing since last fifteen years.

It is submitted by learned counsel for the petitioner that report of the Revenue Karamchari, dated 26.12.2012, submitted to Respondent No.7, the Circle Officer, Biraul, as contained in Annexure-2, reflects that the petitioner is residing over the land in question since last fifteen years for which, he has been given 'No Objection Certificate' since he belongs to 'Below the Poverty Line' category, but he is being threatened by Respondent No. 9, Pawan Kumar Chaudhary.

It is further submitted that the petitioner has submitted representation before Respondent Nos. 3 and 4, the District Magistrate and District Forest Officer, Darbhanga on 31.03.2017, but the same has not been disposed of till date. However, at present, learned counsel for the petitioner confines his prayer for disposal of his representation submitted before the District Forest Officer and District Magistrate, Darbhanga.

Learned AC to SC 19 submits that the land in question is a public land.

Having heard learned counsel for the parties, considering the confined prayer of learned counsel for the petitioner, it is expected from the petitioner to submit a fresh representation before Respondent No.3, the District Magistrate,



Darbhanga annexing the report of the Halka Karamchari, as contained in Annexure-2, within a period of three weeks from the date of receipt/production of a copy of this order, whereupon, it is expected from Respondent No.3, the District Magistrate, Darbhanga to dispose of the said representation of the petitioner within a period of three weeks from its submission.

For the next six weeks from today, the status quo, with regard to land in question, particularly residential house of the petitioner, as is existing today, shall be maintained.

With the above observation and direction, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

