

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13316 of 2018

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1. Devendra Kumar Yadav son of late Kishun Yadav resident of village -
Andharvan, P.S. - Lokha, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural
Development, Govt. of Bihar.
2. The District Magistrate, Madhubani.
3. The Sub-Divisional Officer, Phulparas, Madhubani.
4. The Sub Divisional Public Grievances Redressal Officer, Madhubani.
5. The Programme Officer, MANREGA, Khutauna, Madhubani.
6. The Circle Officer, Khutauna, Madhubani.
7. The Hospital Superintendent, Karmegh, P.S. - Lokha, District -
Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra

For the Respondent/s : Mr. Harish Kumar- GP8

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 10-08-2018 Heard Mr. Bidhanesh Misra, learned counsel appearing
on behalf of the petitioner and learned counsel for the State.

The petitioner has filed this writ petition for a direction to
the Programme Officer, MANREGA, Khutauna, Madhubani,
respondent No.5 to maintain status quo with regard to the land of
the petitioner bearing Khata No.232(old), 5747(new), Khesra
No.7834 (old), 9933(new) measuring area 18 decimals situated in
village Karmegh.

Learned counsel for the petitioner submits that the
petitioner purchased the land and his name was mutated in
Register II but during the revisional survey some portions of the



land of the petitioner has been recorded in the name of Health Department, Govt. of Bihar. On the basis of such entry, the Programme Officer, MANREGA is filling earth on the land of the petitioner. The petitioner filed petition before the Sub Divisional Public Grievance Redressal Officer, Phulparas but he did not pass any effective order and directed the petitioner to move before the competent authority. It is further submitted that under Section 106 of the B.T. Act, the wrong entry has already been corrected but Programme Officer, MANREGA went upon to fill up earth on the land of the petitioner.

It appears that the land of Khesra No.9933 Khata No.5747 is recorded in the name of Govt. of Bihar, Health Department and on that, building of Health Department is existing. The possession of the petitioner cannot be decided in this writ petition or by the authority designated under the Public Grievance Redressal Act. Public Grievance Redressal authority has rightly advised to move before the competent authority.

Therefore, I do not find any merit in this writ petition. Accordingly, the same is dismissed. The petitioner, if so advised, may move before the Civil Court for redressal of his grievance.

Saurabh/-

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(Prabhat Kumar Jha, J)