

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8941 of 2015

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1. Mostt. Dropadi Devi wife of Late Upendra Prasad Yadav
2. Most Savitri Devi wife of Late Mahavir Yadav
3. Jitendra Kumar son of Late Panchlal Yadav, All resident of village- Fatehpur, P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector, Munger, District- Munger.
3. Anchal Adhikari, Asarganj Anchal, P.S.- Asarganj, District- Munger.
4. Vikash Singh son of Thakur Singh, resident of Chourgaon, P.S.- Asarganj, District- Munger.
5. Ramjatan Singh son of Bharosi Singh, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
6. Darshan Singh son of Budhu Singh, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
7. Naresh Singh son of Saudagar Singh, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
8. Parichhan Yadav son of Prit Lal Yadav, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
9. Budhadeo Bind son of Darogi Bind, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
10. Sri Sikandar Yadav son of Bindeshwari Yadav, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
11. Jai Ram Yadav son of Bharat Yadav, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
12. Maneg Yadav son of Indradeo Yadav, resident of village- Chourgaon, P.S.- Asarganj, District- Munger.
13. Shiv Shankar Prasad son of Late Jamuna Sah, resident of village- Kaliyanpur, P.S. Kharagpur, District- Munger.
14. The Bhoodan Yagna Committee through its Chairman, Bhoodan Yagna Committee, Panta.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Respondent/s : Mr. Dinbandhu Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 24-07-2018

Heard both sides.

Mostt. Dropadi Devi and others filed this writ petition



for quashing of the entire proceeding of dispossession vide Case No.1 of 2015-16 initiated by Anchal Adhikari, Asarganj, District Munger(Annexure 8).

Mr. Siyaram Sahi, learned counsel for the petitioners submits that the petitioners purchased the land from one Shiv Shankar Prasad on 21.12.1999. The name of the petitioners was mutated and jamabandi was created in the name of the petitioners but the Circle Officer initiated Case No.1 of 2015-16 and notices were issued to the petitioners for handing over the possession of the land which was earlier settled in favour of the respondent Nos.4 to 12 after the aforesaid lands were donated by the owner of the land to Bhoodan Yagya Committee.

Learned counsel for the petitioners as well as learned counsel for the Bhoodan Yagya Committee, the learned counsel for the respondent Nos.4 to 12 and learned counsel for the State submit that let this case be sent to the Circle Officer who shall hear the parties and pass order in accordance with law.

The learned counsel for the State submits that the Circle Officer in his counter-affidavit stated that the then Circle Officer illegally mutated the name of the petitioners.

Having considered the submission of both sides, I dispose of this writ petition with a direction to the Circle Officer



to hear all the parties, verify the records with regard to the real owner of the land and the donation of land to the Bhoodan Yagya Committee also the land sold by Shiv Shankar Prasad and thereafter pass order in accordance with law.

With this direction, this writ petition is disposed of. The order shall be passed within three months from the date of receipt of this order. Till the disposal of the case, the order of dispossession shall remain in abeyance.

(Prabhat Kumar Jha, J)

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