

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4348 of 2017

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1. Amresh Jha, Son of Shri Baidya Nath Jha, resident of Village- Basuham,
Nagar Parishad Benipur, PO & PS- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar,
Patna.
2. The District Magistrate, Darbhanga, District- Darbhanga.
3. The Sub-Divisional Officer, Benipur, District- Darbhanga.
4. The Land Reforms Deputy Collector, Benipur, District- Darbhanga.
5. The Circle Officer, Benipur, District- Darbhanga.
6. Mantun Paswan, son of Saje Paswan, resident of Village- Basuham,
Nagar Parishad Benipur, PO & PS- Bahera, District- Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Respondent/s : Mr. Sajid Salim Khan-SC25

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 15-05-2018

Heard both sides.

The petitioner has filed this writ petition for quashing the Parcha issued in favour of respondent No.6 on 17.07.1993 (Annexure-5) with regard to land of Khata No. 297, plot No. 1886 (old), area about 14 decimal, New Khata No. 450, plot No. 2459 area about 32 decimal.

The learned counsel for the petitioner submits that no ceiling proceeding was ever initiated against the petitioner. The land of Khata No. 297, plot No. 1886 (old) and 1887 were recorded in the name of Natai Jha and others. The son of recorded



raiyat Deo Narayan Jha transferred 2 katha 15 dhur land appertaining to Khata No. 297 plot No. 1886 to Ram Prayag Jha and Dayakant Jha, sons of Banwari Jha, through registered sale deed No. 7694 dated 11.08.1942 and since then they are coming in peaceful possession. Even during the revisional survey the land was recorded in the name of Dayakant Jha, grand father of the petitioner, but Parcha was issued in favour of respondent No.6 without giving any notice to landholder. It is submitted that petitioner has filed representation before the District Magistrate, Darbhanga (Annexure-8) but no order has been passed.

Taking into consideration that no ceiling proceeding was initiated against the petitioner and even then for the land standing in the name of grand father of the petitioner Parcha has been issued, the District Magistrate is directed to dispose of representation of the petitioner filed on 03.02.2017 (Annexure-8) within four months from the date of receipt of this order.

With this observation, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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