

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8899 of 2015

=====

1. Ram Swarup Mandal Son of Late Chulhai Mandal,
2. Shyam Mandal Son of Late Basant Mandal
3. Gyandeo Mandal Son of Late Chitranjan Mandal
4. Ramanand Mandal Son of Late Basant Mandal
5. Tilo Mandal Son of Late Chulhai Mandal
6. Kaili Devi, wife of Muneshwar Mandal
7. Jhagaru Mandal Son of Late Chulhai Mandal
8. Indu Devi Wife of Satyanarayan Yadav,
9. Radha Devi, Wife of Siya Ram 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. Hari Bol Mandal Son of Jagdish Mandal
5. Sunil Mandal Son of Arjun Mandal
6. Mostt. Vadana D/o Budhanath Mandal
7. Manik Lal Mandal Son of Asharfi Mandal
8. Praduman Mandal Son of Laxaman Mandal
9. Jageshwar Mandal Son of Bhim Mandal
10. Vinay Kumar Vinay Son of Kishun Prasad Yadav,
11. Mina Devi, Daughter of Yogendra Mandal, resident of village - Ganganiya, P.S. - Sultanganj, District - Bhagalpur.
12. Anandi Mandal Son of Chaturi Mandal
13. Munirika Devi, D/o Ram Mandal
14. Mahesh Mandal Son fo Kuldeep Mandal
15. Chhatradhari Mandal Son of Fagoon Mandal
16. Ramdo Mandal Son of Teju Mandal
17. Bechan Mandal Son of Tilak Mandal
18. Sita Ram Mandal Son of Laxaman Mandal
19. Lokeshwar Mandal Son of Mithu Mandal
20. Akhileshwar Sao, Son of Dasharath Sao,
21. Balram Mandal Son of Jagdish Mandal
22. Yogendra Mandal Son of Budhanath Mandal
23. Ram Chandar Mandal Son of Chhedi Mandal
24. Mostt. Rukamani Devi, D/o Late Kuldeep Mandal Respondent no. 4 to 10 and 12 to 24 are resident of village - Dholpahari, Police Station - Asarganj, District - Munger.
25. The Bhoodan Yagna Committee through its Chairman, Bhoodan Yagna Committee, Patna.

.... Responent/s

=====

Appearance :

For the Petitioner/s : Mr. Siyaram Sahi
Mr. Ram Sevak Choudhary
For the Responent/s : Mr. Nagendra Prasad Yadav, S.C.23



=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 24-07-2018 Heard both sides.

Ram Swarup Mandal 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.

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 24 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 24 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)

Saurabh/-

U			
---	--	--	--

