

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12445 of 2018

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1. Ram Sharan Sah, S/o Late Chhedi Sah, Resident of Mohalla- Barnwal Chowk, Bara Bazar Katihar, P.S. and District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Collector cum District Magistrate, Katihar.
3. The Add. Collector (Land Ceiling), Katihar.
4. The Sub-Divisional Officer, Katihar.
5. The Deputy Collector Land Reforms, Katihar.
6. The Circle Officer, Katihar. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Respondent/s : Mr. Md. Khurshid Alam - AAG12

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-09-2018

Heard both sides.

The petitioner has filed this writ petition for a direction to the respondents to issue rent receipts in favour of the petitioner and other legal heirs of Darpi Devi, wife of Late Chhedi Lal Sah, with respect to the land allotted to the land holders in Ceiling case No. 12/73-74 for which final publication of draft statement under Section 11(1) of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 hereinafter referred to as the Act has been made as back as on 04.11.2017 but no final publication under Section 15(1) of the Act has been made and that is why no rent receipt is being issued to the land allotted to the share of the petitioner.

The learned counsel for the petitioner submits that Ceiling case No. 12/73-74 was initiated against Chhedi Lal Sah. After his death his legal heirs were substituted. Ultimately, two units, i.e., 60 acres of land were allotted to the legal heirs of



Chhedi Lal Sah and notification under Section 11(1) of the Act has been published but till date no final notification under Section 15(1) of the Act has been issued. Consequently, the petitioner has not been able to sell the property in order to meet the study expenses of his children.

Mr. Khurshid Alam, learned AAG 12, submits that direction may be issued to the Collector to get the notification published under Section 15(1) of the Act so that petitioner may deal with his property according to his wishes.

Having considered the submission of both sides, I dispose of this writ petition with a direction to the Collector, Katihar to publish the notification under Section 15(1) of the Act so that petitioner may be deal with his land allotted to him within six weeks from the date of receipt of this order.

With the aforesaid direction, this writ petition stands disposed of.

(Prabhat Kumar Jha, J)

BKS/-

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