

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.978 of 2016

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Shambhu Saran Kuwar Son of Late Ram Lakhan Kuwar, Resident of village
and Post Office- Bathan, Circle Office- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna null null
2. The Commissioner, Darbhanga Division, Darbhanga,
3. The Collector, Madhubani
4. The Circle Officer, Pandaul, District- Madhubani
5. The Circle Inspector, Pandaul, Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Jha
For the Respondent/s	:	Mr. A.R. Pandey, AAG-15. Mr. Vinay Kumar Mishra, A.C. to AAG-15.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date : 10-12-2018

Heard the parties.

The petitioner has filed this writ petition for the following reliefs :-

(i) To issue a writ in the nature of certiorari to quash and cancel the order dated 23.03.1997 passed by the learned Additional Collector, Madhubani by which the proposal and proceeding for settlement of land for cultivation in favour of a Army man (the petitioner) has been rejected by ignoring the forwarding and recommendation of Halka Karamchari, C.O., D.C.L.R. and Mukhiya of the concerned locality.



(ii) To direct the respondents to make settlement of land in favour of petitioner in terms of his proposal Annexure-1 thereof and in terms of the recommendation and forwarding of the all concerned authorities.

(iii) To direct the respondents to act on the proposal of petitioner judiciously for the welfare of the Army Man so as to he can lead a comfortable civil life.

(iv) To grant any other reliefs to the petitioner for which petitioner is entitled to have in connection with aforesaid grievance.

Learned counsel for the petitioner submits that petitioner is ex. Army Man and a proposal was forwarded by Mukhiya, Circle Officer and Sub Divisional Officer to settle the land of khata No.186, plot No.1393, 1273, 2098, 2096, 1274, 2095, 2099 in favor of the petitioner but the Additional Collector rejected the proposal for settlement of the land on 23.03.1997 as the aforesaid lands were not fit for settlement in favour of any person on the ground that the lands are used by the public at large. It is submitted that the petitioner may be permitted to file another representation before the Collector for settlement of any appropriate land.



Considering the facts aforesaid, I dispose of this writ petition that the petitioner may file another representation before the Collector who shall consider for settlement of any lands available and found vacant for settlement in favour of the petitioner if the petitioner fulfills all such criteria.

With this observations and directions, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14/12/2018
Transmission Date	NA

