

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1036 of 2017

1. Rambabu Rai
2. Jhaman Rai, Both are sons of Hirday Rai
3. Most. Sudha Devi, wife of late Mahendra Rai, All residents of Village - Mohanpur Baghara, P.S. - Mohanpur O.P. Patori, District - Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Land Revenue and Reforms Department, Government of Bihar, Patna
2. The Commissioner, Darbhanga Division, Darbhanga.
3. The Collector, Samastipur.
4. The Sub-Divisional Officer, Patory, Samastipur.
5. The Deputy Collector, Land Reforms, Patory, District - Samastipur.
6. The Circle Officer, Mohanpur, Patory, District - Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Respondent/s : Mr.Md.Khurshid Alam-Aag12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-09-2019 The present writ petition has been filed under the apprehension that since an adverse report dated 05.12.2015 has been submitted by the Circle Officer, Mohanpur, the petitioners would be evicted from the premises in question.

The learned counsel for the respondents submits that if the Circle Officer, Mohanpur finds that there is any substance in the aforesaid report, then he should first issue notice to the petitioners seeking their objections and only thereafter, any final order should be passed.



Having regard to the submissions made by the learned counsel for the parties, I deem it fit and appropriate to dispose off the present writ petition with an observation that in case, the petitioners are to be dispossessed by the State Government authorities, appropriate notices, seeking their objections, would be issued in accordance with law, whereafter appropriate decision would be taken and only then, any order of eviction would be passed against the petitioners in accordance with law.

It is needless to state that the petitioners would be at liberty to challenge the said action of the respondent- authorities, if it is prejudicial to their interest by filing fresh writ petition, if need be.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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