

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3895 of 2019**

Shankar Rajak, aged about 59 Years, Gender-Male, S/o Late Gageshwar Baitha @ Late Jageshwar Rajak, Resident of Village-Aminabad, P.S. Barari, Dist.-Katihar.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Purnea Division, Purnea.
3. The Collector-cum-District Magistrate, Katihar.
4. The Additional Collector, Katihar.
5. The Deputy Collector Land Reforms, Katihar.
6. The Circle Officer, Barari, Dist.-Katihar.
7. Bijay Kumar Mandal, aged about 40 Years, Gender-Male, S/o Brahamdeo Mandal, Resident of Village-Tappu Diyara, P.O. Semapur, P.S. Barari, Dist.-Katihar.
8. Ajay Kumar Mandal, Aged about 35 Years, Gender-Male, S/o Brahamdeo Mandal, Resident of Village-Tappu Diyara, P.O. Semapur, P.S. Barari, Dist.-Katihar.
9. Ashok Mandal, aged about 45 Years, Gender-Male, S/o Brahamdeo Mandal, Resident of Village-Tappu Diyara, P.O. Semapur, P.S. Barari, Dist.-Katihar.

... .. Respondents

**Appearance :**

For the Petitioner : Mr.Mukesh Kumar Jha, Advocate.  
For the Respondents : Mr.Sajid Salim Khan, S.C.25.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-02-2019                      Heard learned counsel for the petitioner and learned counsel for the State.

The following relief has been sought for on behalf of the petitioner in the present writ application.

“1. For issuance of an appropriate writ, order or direction, directing the respondents concerned to restore the petitioner’s possession over the land which has been settled in favour of his father but he has been forcefully dispossessed by the private respondents and further direct the authorities to



remove the private respondents from the land in question and protect the life and property of the petitioner from the hands of respondent nos. 7 to 9 by restraining them from interfering with the land in question.”

It is submitted by learned counsel for the petitioner that a piece of land with an area of 0.66 decimals appertaining to Khata No. 89 and Khesra No. 995 was settled in favour of the father of the petitioner in Settlement Case No. 20/75-76 by the respondent authority which was declared as surplus in a land ceiling proceeding. The petitioner has been dispossessed in respect of the said land in question. Hence, he made an application before the competent authority under Section 5 of The Bihar Right to Public Grievance Redressal Act, 2015. The said application was rejected by the said competent authority. Against the same, the petitioner had preferred an appeal under Section 7 of The Bihar Right to Public Grievance Redressal Act, 2015. The Appellate Authority had affirmed the order passed by the competent authority under Section 5 of The Bihar Right to Public Grievance Redressal Act, 2015. Thereafter, petitioner preferred second appeal under Section 7(5) of The Bihar Right to Public Grievance Redressal Act, 2015. The Second Appellate Authority passed an order on 13.04.2018 in favour of the petitioner, vide Annexure-2 to the present writ application. The



petitioner wants for compliance of the order dated 13.04.2018 passed by the Second Appellate Authority. For compliance of the said order, petitioner filed a representation before the respondent no. 6 i.e., The Circle Officer, Barari, Katihar, but the same is pending till date.

Considering the aforesaid facts and circumstances, the petitioner is directed to file a fresh representation enclosing the order dated 13.04.2018, passed by the Second Appellate Authority, vide Annexure-2 to the present writ application, before the respondent no. 3 i.e. The Collector-cum-District Magistrate, Katihar, within a period of thirty days from today. The respondent no. 3 i.e. The Collector-cum-District Magistrate, Katihar, shall consider the representation filed on behalf of the petitioner, and pass appropriate order in accordance with law, within a period of three months from the date of filing of such representation.

With the aforesaid observations and direction, the present writ application stands disposed of.

U.K./-

**(Sudhir Singh, J)**

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