

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12904 of 2019

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Mahendra Yadav Son of Late Raghunath Yadav, Resident of Village- Tardih,
Post Office- Tardih, Block- Tardih, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Darbhanga.
2. The District Land Acquisition Officer, Darbhanga.
3. The Sub-Divisional Officer, Darbhanga.
4. The Circle Officer, Tardih under District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ram Narayan Mahto
For the State	:	Mr.Subash Chandra Yadav (GP-15)
		Mr. Rakesh Kumar Shrivastava, AC to GP 15

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-06-2019 Though, the matter has been listed under the heading “For Orders (on office notes)”, pointing out certain defects by the Stamp Reporter, I have heard the case on merits and in the nature of controversy involved in the present writ application, I am disposing it of by the present order.

It is the petitioner's case that over his *raiyati* land, E-Kishan Bhawan has been constructed, without acquiring the land and paying the petitioner due compensation.

It appears from Annexure-3 that the work of construction of the building had started in 2017 itself. There is nothing on record to show that the petitioner had ever raised any objection then or immediately thereafter. Certain



representations have been brought on record, addressed to the Circle Officer, Tardih and the District Magistrate, Darbhanga, though the dates of such representations are not mentioned.

Learned counsel for the petitioner states that the said representations were sent to the authorities, but on perusal of Annexures, it appears that even the said representations were sent in 2019 through post.

If, according to the petitioner, without following any procedures for acquisition, his land has been utilized for public purpose by the State-respondents, he could have raised his grievance before the Public Grievance Redressal Officer under Bihar Right to Public Grievance Redressal Act, 2015(for short 'the Act'). The representations, which the petitioner has filed, cannot be treated to be applications made under the Act.

In such circumstance, this writ application is disposed of with a liberty to the petitioner to approach the Public Grievance Redressal Officer, by making an appropriate application. If such application is made within one month from today, the Court expects that the Public Grievance Redressal Officer shall expeditiously dispose of the application, preferably within six months from the date of presentation of the application filed by the petitioner. In the event the Public



Grievance Redressal Officer comes to a conclusion that the land, over which the construction of E-Kishan Bhawan has been made, belongs to the petitioner, subject to any order passed by the appellate authority or the revisional authority under the Act, the State shall proceed to initiate acquisition proceeding.

(Chakradhari Sharan Singh, J)

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