

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 4138 of 2016

Arising out of

Civil Writ Jurisdiction Case No. 1480 of 2016

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Rajan Devi Wife of Kamal Narain Jha, (Substituted heir of Kamal Narain Jha, deceased original writ petitioner) resident of Mohalla- Gautam Nagar, Gangjala Ward No. 17, Saharsa, P.S. + District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Deputy Collector, Land Reforms (D.C.L.R.), Saharsa, namely Sri Rajeev Kumar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the State : Mr. Arun Kumar Bhagat, AC to AAG 12

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 23-07-2019

Heard learned counsel for the petitioner and learned AC to AAG 12 for the State.

2. It appears that despite the Court having allowed substitution of the writ petitioner by his wife Rajan Devi, by order dated 14.09.2018, the office has not made necessary correction.

3. This is serious dereliction of duty by the concerned officers in the Section.

4. Accordingly, the Registrar General shall issue warning to them to be careful in future.

5. Let necessary correction be made by the Registry today itself.

6. The petitioner has moved the Court alleging violation of the order dated 28.06.2016 passed in CWJC No. 1480 of 2016.



7. From the materials on record, it appears that the Court had directed the petitioner to move before the DCLR , Sadar Sahara-cum-Competent Authority (hereinafter referred to as the 'Authority') by registering a case under the provisions of the Bihar Land Disputes Resolution Act, 2009 (hereinafter referred to as the 'Act'), who was to pass final order, in accordance with the provisions contained in Section 15 of the said Act. The Authority concerned has stayed further proceeding in view of the jurisdiction to hear such matter by the Authority has been interfered with by the High Court and the matter is pending before the Hon'ble Supreme Court.

8. In such view of the matter, the Court does not find any contempt having been committed by the Authority.

9. Accordingly, the application stands disposed off with the observation that in terms of the decision of the Hon'ble Supreme Court in the case, the Authority would be required to deal with the matter expeditiously.

(Ahsanuddin Amanullah, J.)

P. Kumar

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