

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17228 of 2016

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Bimal Kapri W/o Vishwanath Kapri resident of Mohalla - Laxmisagar
Colony, P.S. Lalit Narayan Mithila University, Distt. Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner Darbhanga, Commissionery, Darbhanga
3. The District Collector, Darbhanga
4. The Superintendent of Police, Darbhanga
5. The Deputy Collector Land Reforms Sadar Darbhanga, Distt. Darbhanga
6. The Sub Divisional Officer Sadar, Darbhanga, Distt. Darbhanga
7. The Circle officer Sadar Darbhanga, Distt. Darbhanga
8. The S.H.O., Police Station L.N.N.U. Darbhanga, Distt. Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha
For the Respondent/s : Mr.Raj Kishore Roy- GP-18

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 23-01-2019 Heard learned counsel for the parties.

2. The sole grievance which the petitioner has in the present writ application is that the competent authority under the Bihar Land Dispute Resolution Act, 2009 (hereinafter referred to as 'the Act') is not executing the order dated 22.11.2011, passed in L.D. Case No. 164 of 2011-12. The petitioner is said to have filed an application under Section 15 of the Act for execution of the said order, which is still pending.

3. Section 15 of the Act casts an obligation on the competent authority to execute an order passed by him. Rule 30 of the Bihar Dispute Resolution Rules, 2010 enables the



competent authority either to proceed himself to execute the order in terms of his power under Section 15 of the Act or authorize any officer or employee to execute the same. This is not a happy situation where the petitioner has been compelled to approach this Court seeking direction to the statutory authorities to exercise their statutory power which they are obliged to perform.

4. This application is, accordingly, disposed of with an observation that the Deputy Collector Land Reforms, Sadar, Darbhanga, who is the competent authority must take final decision on the petitioner's application under Section 15 of the Act, preferably within three months from the date of receipt/production of a copy of this order.

This disposes of the application.

(Chakradhari Sharan Singh, J)

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