

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.521 of 2018

=====

Anil Kumar, Son of Late Raman Singh, Resident of Village- Udaini, P.O.-
Mittanchak, P.S.- Gopal Pur, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Commissioner, Patna Division
2. Commissioner, Patna Division
3. District Magistrate, Patna
4. Addl. District Magistrate, Patna
5. Circle Officer, Sampatchak, Patna.
6. Mukhiya, Gram Panchayat, Udaini, District- Patna.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh, Adv.
For the Respondent/s : Mr. Anil Kr. Sinha, GA 1

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 30-01-2019

Heard Mr. Dhananjai Kumar Singh, learned Counsel for the
petitioner and Mr. Anil Kumar Sinha, learned GA 1 for the State.

The petitioner had questioned the implementation of the
scheme arising from Settlement Case No. 10/4 of 2009-2010, whereby
the State has taken a decision to settle the ten persons coming from
Mahadalit Community on a piece of land falling in Mauza Udaini, P.S.
Phulwari in the District of Patna bearing Khata No. 151, Plot No. 1 & 2,
which according to the petitioner forms an Aahar/Paien since last more
than 100 years and a source of irrigation.

It is on direction issued by this Court that the District
Magistrate, Patna has filed an affidavit through the Circle Officer,



Sampatchak, District – Patna, who after enclosing the order passed in Settlement Case No. 10/4 of 2009-2010 has informed that the nature and character of land has changed and is no longer an Aahar land to provide for irrigation.

It is informed that the State Government after taking note of these aspects and in the process of implementation of the scheme to settle Mahadalits has issued the order after enquiring into the matter and on approval given by the Commissioner, Patna Division as well as the Revenue & Land Reforms Department..

Having heard learned counsel for the parties and in view of the stand so explained, this Court is not persuaded to interfere with the decision but in case the petitioner feels so aggrieved by the settlement order passed in Settlement Case No. 10/4 of 2009-2010, he would be at liberty to take recourse to the remedy so available to him.

The writ petition is disposed of.

(Jyoti Saran, J)

Archana/
Surendra/-

(Arvind Srivastava, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.01.2019
Transmission Date	NA

