

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2220 of 2018**

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1. Most. Sudama Devi wife of Late Suraj Mahto,
2. Deep Narayan Singh, S/o Late Suraj Mahto, Both Resident of Ramnagar, P.S. Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Revenue Department, Govt. of Bihar, Patna
2. The Collector-cum- District Magistrate, Sitamarhi.
3. The Public Claim Redressal Officer, Sitamarhi.
4. The Land Reforms Deputy Collector, Sitamarhi.
5. The Circle Officer Riga, Sitamarhi.
6. Rameshankar Singh, S/o Late Sukhlal Deo Mahto, Resident of Ram Nagara, P.O. Sirauli, P.S. Riga, District- Sitamarhi.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Shambhu Sharan Singh      |
| For the State        | : | Mr.Md. Khurshid Alam- AAG-12 |
| For Respondent No.6  | : | Mr. Mithilesh Kumar          |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

6      11-04-2019                      Heard the learned counsel for the parties.

The petitioners have come before this Court, raising their grievance that an order passed by the Sub-Divisional Public Grievance Redressal Officer, Sitamarhi Sadar under Bihar Right to Public Grievance Redressal Act is not being carried out.

It was the petitioners' claim that the *Basgit Purcha* was issued in their favour and they have been wrongfully evicted from their possession over the disputed land.



In compliance of this Court's order dated 09.04.2019, the Circle Officer, Riga, Sitamarhi is personally present. It is being stated on his behalf that since the *Basgit Purcha* relates to the year 1971, the records are yet to be traced, which is in the process.

Mr. Mithilesh Kumar, learned counsel informs this Court that he has instructions to appear on behalf of respondent no.6. A plea has been taken that respondent no.6 was not noticed in the proceeding before the Sub-Divisional Public Grievance Redressal Officer, Sitamarhi Sadar. He has accordingly submitted that an order passed in the absence of respondent no.6 cannot be implemented against him.

It is not clear from the order-sheet that respondent no.6 was a party in the proceeding before the Sub-Divisional Public Grievance Redressal Officer, Sitamarhi Sadar.

Be that as it may, this writ application is disposed of with the observation that respondent no.6 shall be at liberty to take appropriate steps if, according to him, the order passed by the Sub-Divisional Public Grievance Redressal Officer, Sitamarhi Sadar is *ex parte*,



without giving him any opportunity of hearing. The Circle Officer is under obligation to implement the statutory order unless modified or recalled.

**(Chakradhari Sharan Singh, J)**

HR/-

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