

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13851 of 2019

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Gulabi Devi @ Gulbiya Devi Wife of Late Mathura Dusah @ Late Mathura Paswan Resident of Village- Mastipur, Harijan Colony, Police Station- Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Patna.
2. The Collector, Gaya, District- Gaya.
3. The Sub- Divisional Magistrate, Sadar Gaya, District- Gaya.
4. The Circle Officer, Bodh Gaya, District- Gaya.
5. The Officer-in- Charge, Bodh Gaya Police Station, District- Gaya.
6. Yogendraa Paswan Son of Deouni Ram Resident of Village- Pranpur, Police Station- Belaganj, District- Gaya.
7. Mritunjay Paswan Son of Ramlal Paswan Resident of Village- Morgar, Police Station- Belaganj, District- Gaya.
8. Arun Paswan Son of Late Ramdev Paswan Resident of Village- Mastipur Police Station- Bodh Gaya, District- Gaya.
9. Kali Charan Manjhi Son of Sanichar Manjhi Resident of Village- Mastipur Tola, Piparpanti, Police Station- Bodh Gaya, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar
For the State	:	Mr.Sajid Salim Khan (SC-25)
		Mr. Wasi A. Khan, AC to SC 25

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-07-2019 Heard the learned counsel for the parties.

It is the petitioner's claim that she had been issued *purcha*, treating her to be a privileged tenant. Similar *purcha* was issued, according to the petitioner, in favour of Kali Charan Manjhi (respondent no.9), in respect of some other land. It is the case of the petitioner that the said Kali Charan Manjhi had



entered into a lease agreement with respondent no.6, who is making construction over the land, in respect of which *purcha* was issued in favour of respondent no.9. It is also her grievance that on the strength of the said lease agreement, respondent no.6 is disturbing peaceful possession of the petitioner over the land, which has been settled in her favour, as a privileged tenant.

Learned counsel for the petitioner has submitted that said Kali Charan Manjhi could not have entered into a lease agreement with respondent no.6, in respect of the land, which was settled in his favour, treating him to be a privileged tenant.

Be that as it may, the Court fails to understand the petitioner's predicament, if any construction is being made over the land of respondent no.9, it is a different matter, though respondent no.9 has entered into any lease agreement with respondent no.6, in respect of the land, which is said to have been settled in his favour, treating him to be a privileged tenant, which can be a matter for inquiry by the competent authority.

The petitioner, it appears, has approached the concerned Circle Officer. In my opinion, however, the petitioner's remedy lies under the provisions of Bihar Right to Public Redressal Grievance Act, 2015 (for short 'the Act'), by making an appropriate application before the Public Grievance



Redressal Officer, raising all the grievances, which she has raised in the present writ application.

This writ application is disposed of with an observation that the petitioner shall have liberty to take recourse to the provisions under the Act.

(Chakradhari Sharan Singh, J)

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