

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23591 of 2019

1. Kailash Gaddi S/o Late Dasai Gaddi Resident of Ward No.13, Village-Kathar, Khalwapatti, Anchal- Madhubani, Bagaha, P.S.- Dhanaha, District-West Champaran.
2. Harendra Gaddi @ Harindra Gaddi S/o Late Dasai Gaddi Resident of Ward No.13, Village- Kathar, Khalwapatti, Anchal- Madhubani, Bagaha, P.S.- Dhanaha, District- West Champaran.
3. Md. Shafiq Alam @ Shafiq Alam S/o Kailash Gaddi Resident of Ward No.13, Village- Kathar, Khalwapatti, Anchal- Madhubani, Bagaha, P.S.- Dhanaha, District- West Champaran.
4. Ish Mohammad Gaddi S/o Kailash Gaddi Resident of Ward No.13, Village-Kathar, Khalwapatti, Anchal- Madhubani, Bagaha, P.S.- Dhanaha, District-West Champaran.

... .. Petitioners

Versus

1. The State of Bihar through the District Magistrate, West Champaran at Bettiah.
2. The District Magistrate, West Champaran at Bettiah.
3. The Additional Collector, West Champaran at Bettiah.
4. The Deputy Collector, Land Reforms, Bagaha, West Champaran.
5. The Circle Officer, Madhubani, West Champaran.
6. Sahabuddin @ Sahabuddin Ansari S/o Late Razak Ansari R/o Village-Kathar, Khalwapatti, Anchal- Madhubani, Bagaha, P.S.- Dhanaha, District-West Champaran.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar Shrivastava Mr. Ravis Mishra
For the Respondent	:	Mrs. Archana Prasad, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-11-2019 The petitioners have put to challenge a notice dated 06.02.2018, apparently issued to implement an order passed by the Deputy Collector Land Reforms in B.L.D.R. Case No. 12 of 2013-14.

This is not in dispute that the petitioners were party in



the proceeding of B.L.D.R. Case No. 12 of 2013-14, in which the order was passed on 30.03.2015. The finding of the Deputy Collector Land Reforms is based on a settlement done in favour of the private respondents in 1993-94.

Be that as it may, since the said notice has been issued in compliance of a statutory order passed by the Deputy Collector Land Reforms in B.L.D.R. Case No. 12 of 2013-14, which the petitioners have not challenged, I do not find it proper to interfere with the said notice.

Learned counsel appearing on behalf of the petitioners has submitted that the petitioners have challenged the settlement made in Settlement Case No. 24 of 1993-94 by filing Settlement Appeal No. 160 of 2017. I need not comment on filing of the said appeal, which can be decided on its own merits, but the fact remains that the petitioners have not challenged the decision of the Deputy Collector Land Reforms passed under the Bihar Land Disputes Resolution Act, 2009.

In such circumstances, the impugned notice cannot be said to be illegal requiring this Court's interference. This application is accordingly dismissed.

It goes without saying that the petitioners shall be at liberty to take steps for expeditious disposal of Settlement



Appeal No. 160 of 2017 and the Court expects that the appeal will be decided on merits, if the same is maintainable subject to question of limitation.

(Chakradhari Sharan Singh, J)

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