

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2889 of 2020

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Ganesh Pathak, aged about 56 years, Gender-Male, S/o Late Fekan Pathak
Resident of Village and P.O.- Nirpur, P.S.- Samastipur, Mufasil, District-
Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Commissioner, Darbhanga Division, Darbhanga.
3. The Collector, Samastipur.
4. The Additional Collector, Samastipur.
5. The Deputy Collector Land Reforms, Samastipur.
6. The Sub-Divisional Officer, Samastipur.
7. The Anchal Adhikari, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surya Kant Mishra, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha, SC19

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 26-02-2020

Heard learned counsel for the petitioner and learned
SC 19 for the State.

2. The petitioner has moved the Court for following
reliefs:-

“(i) The respondents Collector be directed to finalize to settlement of the Gairmazarua Aam land appertaining to C.S. plot no. 1731, C.S. khata no. 223 corresponding to R.S. plot no. 2704, R.S. Khata no. 118 situated in village Nirpur @ Mirpur P.S. and Anchal Samastipur, District Samastipur which has already crossed chain of settlement process during the year 1990-92 to



1996-97 i.e. after the order finalized by this Hon'ble Court.

(ii) The notice dated 08.12.2019 and the said notice has been followed by the notice dated 26.12.2019 issued under the signature of respondent Anchal Adhikari under Section 3 of the Bihar Land Encroachment Act, 1956 wherein petitioner has been clubbed in the category of encroacher over the land in question, be quashed.

(iii) The respondent be restrained from interfering with possession of the petitioner in any manner.

(iv) The petitioner be extended any other relief/reliefs for which they found entitled."

3. The petitioner wants that the proposal for settlement of certain piece of land which began in the year 1992 be taken to its logical conclusion in the year 2020.

4. The Court finds that the purpose of such settlement of land after thirty eight years does not serve the purpose. Further, the Court would not interfere in such stale matter.

5. Accordingly, the writ petition stands dismissed on the ground of gross delay and laches.

(Ahsanuddin Amanullah, J)

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