

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1586 of 2020

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Rashmi Kumari, Aged about 28 years, Female, Daughter of Ram Krishna Prasad Resident of Village/Mohalla- Pesaur, P.S.- Rahui, District- Nalanda, At present residing at Mohalla- Shivji Colony, Devi Mandap Road, Near Shiv Shakti School Dumardaga, P.S.- Buti More, Kanke District- Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. District Magistrate cum Collector, Nalanda.
4. Additional District Magistrate cum Additional Collector, In Charge Revenue, Bihar Sharif, Nalanda.
5. Sub-Divisional Officer, Bihar Sharif, District- Nalanda.
6. Deputy Collector, Land Reforms, Bihar Sharif, District- Nalanda.
7. Deputy Collector, Land Reforms, Bihar Sharif, District- Nalanda.
8. Circle Officer, Bihar Sharif, District- Nalanda.
9. Municipal Commissioner, Bihar Sharif Municipal Corporation, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Mukul Prasad, AC to GP 18
For the Corporation	:	Mr. Gyan Prakash Ojha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 23-01-2020

Heard learned counsel for the petitioner; learned AC to GP 18 for the State and learned counsel for the Bihar Sharif Municipal Corporation.

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



“(a) The respondents be commanded/directed not to disturb the peaceful possession of the petitioner over a land measuring 10 decimal under Khata no. 36, Plot no. 319 situated in Mauza Mahi Khandak under Thana no. 116 within Bihar Sharif Circle and Police Station in the District of Nalanda which will hereinafter be referred to as the lands in question and they be restrained from initiating any harassive and malafide proceeding over the said land by issue of an appropriate writ/writs/order/orders.

(b) By issue of an appropriate writ the steps being taken by respondent nos. 5, 8 and 9 be declared illegal and contemptuous apart from being an extreme example of in subordination and they be deprecated/criticised/reprimanded.

(c) By issue of an appropriate writ it be held that the petitioner is the lawful owner and in possession of the lands in question to the extent of her purchase.

(d) By issue of an ad- interim order restraining all actions and proceeding over the land in question by the respondents or their sub-ordinates be stayed during the pendency of the writ application.

(e) Any other relief or relief's which the petitioner be found entitled to be granted to her.”

3. Learned counsel for the respondents drew the attention of the Court to the averment made in paragraph no. 26 of the writ application to the effect that the matter is pending before the Additional Collector, Nalanda (respondent no. 4).

4. Having regard to the aforesaid and taking into note that the present matter has to be considered first on the factual ground realities, the writ petition stands disposed off with a direction to the respondent no. 4 to take the proceeding pending



before him to its logical conclusion, in accordance with law, latest within a period of two months from the date of production of a copy of this order before him.

(Ahsanuddin Amanullah, J)

Anjani/-

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