

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6870 of 2020

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Raghunath Prasad s/o- Late Ganesh lal @ Ganesh Prasad. Permanent
Address- village- Mira tola Dighawa, Post-Khajuhati P.S Baikunthpur
District - Gopalganj Bihar, Pincode- 841409

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The District Magistrate, Gopalganj.
3. Superintendent of Police, Gopalganj.
4. Sub-Division Officer, Gopalganj.
5. Circle Officer, Baikunthpur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Surendra Pd. Singh, Advocate

For the Respondent/s: None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 30-11-2021

Heard learned counsel for the petitioner. Learned
counsel for the petitioner hereby undertakes to remove all defects
pointed out by the Stamp Reporter as and when required. It is
accordingly directed that all defects pointed out by the Stamp
Reporter be removed within one month hereof.

2. The present writ petition has been filed for the
following reliefs as formulated by the petitioner-

*“(i) To direct the Circle Officer (Respondent no.5) for
measurement of land of petitioner bearing khata no. 13,
Plot No. 1059 Rakba-1 kathas is situated at Mauza
Dighawa Thana No. 339 Circle Baikunthpur District-
Gopalganj boundary of land. North- Chandrama Singh,*



South- Nij East- Mir Safar Hussain, West- Road and Bipin Gri.

In view of the facts the land is ancestral property and mutated in favour of petitioner father (Ganesh Prasad) as Jama Bandi No. 7. And thereafter petitioner has got rent receive dated 10/10/15 and also has got L.P.C. from C.O. Baitunthpur and the petitioner has prayed before C.O. (respondent no.5) for measurement of land for purpose of erecting house but no any step has been taken were as petitioner has also prayed respondent no. 5 properly ready to deposit charge.

(ii) Any other relief/reliefs for which petitioner is entitled for.”

3. At the very outset, learned counsel for the petitioner states that he has filed an application before the Circle Officer, Baikunthpur, District- Gopalganj (respondent no.5) on 16.10.2019 requesting for measurement of his aforesaid land, which appears to be pending. It will suffice if a direction for disposal of the application be issued without entering into the detailed merits of the matter.

4. None appears on behalf of the respondents when the matter is called.

5. Having regard to the nature of the grievance of the petitioner, the writ petition is disposed of with a direction to the



Circle Officer, Baikunthpur, District- Gopalganj (respondent no.5) to consider and dispose of the representation of the petitioner, said to have been filed on 16.10.2019, if still pending, on its own merits in accordance with law and after grant of an opportunity of hearing to the petitioner, expeditiously and in any event preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02.12.2021
Transmission Date	N.A.

