

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6889 of 2020

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Feku Paswan Son of Late Bhosu Paswan Resident of Village- Kachuvi, P.S.-
Lakhnaur, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Lands Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate, Madhubani, District- Madhubani.
3. The Deputy Collector of Land Reforms (D.C.L.R.), Madhubani, Distt- Madhubani.
4. The Circle Officer, Lakhanaur Block, Distt- Madhubani.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Arun Kumar No. 1, Advocate
For the State : Ms. Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 03-12-2021

Heard learned counsel for the petitioner and learned counsel for the State. 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) That, the respondents be strictly directed to hand over the possession of Bhoodan land bearing Khata No. 542, Plot No. 1560 area of 4 Katha and 4 Dhur, situated at village- Kachuvi, Block Lakhanaur of District-



Madhubani, which has been given/settled in the name of the petitioner on 03.03.1966 by purcha no. 2441 issued by Bhoodan Yaga Committee Darbhanga and by other documents contained in Annexures-1 and 2 of this petitioner.

(ii) That, the respondents be also directed to get the aforementioned land of 4 katha and 4 dhurs demarketed and boundried thereon, as petitioner belongs to the weakest section of society Scheduled Caste and some encroachers have encroached the same land forcibly.

(iii) That, the respondents be also directed to provide safety of life and liberty to the petitioner under Article 21 of the Constitution of India. As life and liberty of petitioner and his family members are in danger by the encroachers.

(iv) That, the respondents be also directed to pay the appropriate cost and compensation to the poor petitioner for unnecessary mental, physical and economical harassment done by the illegal and unconstitutional acts done by the respondents.

(v) That, during the pendency of this writ petition all the encroachers of lands mentioned in para-1 (i) be removed forthwith.

(vi) That, any other relief or reliefs may kindly be granted in favour of the petitioner as it may be deemed fit and proper to the facts and circumstances of this case."

3. At the outset itself, reference is invited to the petitioner's representation dated 06.01.2020 (Annexure-11) before the District Magistrate, Madhubani which is said to be pending. It



will suffice if a direction for disposal of the aforesaid representation is issued, without going into the detailed merits of the matter.

4. Learned counsel for the State appears and has been heard.

5. Having regard to the nature of the grievance of the petitioner, the writ petition is disposed of with a direction to the District Magistrate, Madhubani (respondent no. 2) to consider and dispose of the representation of the petitioner, said to have been filed on 06.01.2020, 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 three months 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	03.12.2021
Transmission Date	N.A.

