

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6808 of 2020

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Shibu Das Son of Yugeshwar Das, resident of Village - Daing, P.S. -
Bahadurpur, District- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary Land Reform Department, Bihar, Patna.
2. The Commissioner, Darbhanga.
3. The Collector, Darbhanga.
4. The Land Reform Deputy Collector, Darbhanga.
5. The Anchal Adhikari, Anchal Bahadurpur, Darbhanga.
6. Parwati Devi, Wife of Janindar Yadav, resident of Village - Dainy, P.S. Bahadurpur, District- Darbhanga.
7. Veena Devi, Wife of Punit Lal Yadav, resident of Village- Dainy, P.S. Bahadurpur, District- Darbhanga.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate
For the State : Mr. Raj Kishore Roy, GP-18

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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) For issuance of writ of Mandamus commanding the respondent authority to take legal action against the



private respondent no. 6 and who have illegally occupied the settled land of petitioner.

(ii) For issuance of writ of mandamus commanding respondent authority no. 3 to take legal action for assuring the allotted land by possession to the petitioner which was allotted to the petitioner by Government of Bihar and respondent authority have been confer by his several orders.

(iii) Such other writ or order or direction which may deem fit and proper for ends of Justice.”

3. Learned counsel for the petitioner submits that the land in question was allotted to the petitioner and in respect of which by order dated 21.11.2015 (Annexure-3) passed by D.C.L.R., Sadar, Darbhanga, a direction was issued to the Circle Officer, Bahadurpur, Darbhanga to have the land vacated and handed over to the petitioner. It is submitted that accordingly, a representation dated 18.12.2019 was filed before the Circle Officer, Bahadurpur, Darbhanga (Annexure-8) but the same remains pending.

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 Circle Officer, Bahadurpur, Darbhanga (respondent no. 5) to consider and dispose of the representation of the petitioner, said to have been filed on 18.12.2019, 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 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
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