

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19770 of 2021

Janhit Sansthan through the Secretary, Punam Kumari Sinha, aged about 54 years, Female) Daughter of Late Mohan Prasad Sinha, Resident at House No. 61, North Anandpur, West Boring Canal Road, Police Station- Sri Krishnapuri, District - Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Director-General of Police, Bihar, Patna.
4. The District Magistrate, Jehanabad, District - Jehanabad.
5. The Additional Collector, Jehanabad, District - Jehanabad.
6. The Superintendent of Police, Jehanabad, District - Jehanabad.
7. The Sub-Divisional Officer, Jehanabad, District - Jehanabad.
8. The Circle Officer Modanganj, Block - Modanganj, Police Station- Ghoshi, District - Jehanabad.
9. The Thana- in-charge, Okri (O.P) Police Station- Ghoshi, District - Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the Respondent/s : Mr. Prabhat Kumar Verma (Aag3)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 13-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

(a) For issuance of an appropriate order/orders/direction/directions/writ in the nature of mandamus directing and commanding to the Respondents to distribute parcha of the surplus land under ceiling Act of Deoramath land situated under Block- Modanganj, Okri

(O.P) District- Jehanabad to the landless Schedule Caste/Schedule Tribes of Revenue Village Deora, Thana No. 515 in accordance of Ceiling Act, the criminals have forcibly occupied 136.68 Acres of land of Deoramath with the co-operation of local police and others antisocial elements.

- (b) And further be pleased to issue an order/orders/ direction/directions to the Respondents to distribute the surplus of land of Deoramath to landless Schedule Caste/Schedule Tribe who belongs to Revenue Village Deora, Thana No. 515 in accordance with law after vacating the said land by the criminals.
- (c) That further be learned to grant relief/ reliefs as the petitioner is entitled for.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned, respondent no.4, the District Magistrate, Jehanabad, District - Jehanabad or any of the statutory authority to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the

date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) Liberty also reserved to the petitioner to make a mention for listing of the petition on priority basis. As and when any such mention is made, Registry shall take steps for listing the petition at the earliest.

(h) We have not expressed any opinion on merits.

All issues are left open;

(i) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.01.2022
Transmission Date	NA