

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6455 of 2018

1. Bhola Yadav Son of Late Kari Devi and Late Prabhu Yadav
2. Sunil Yadav,
3. Anil Yadav,
4. Arbind Yadav,
5. Dharmendra Yadav,
All Sons of Late Bhagwan Yadav, resident of Village- Khajechak, P.O. P.S.-
Haveli Kharagpur, Distt.- Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector of the District Munger.
3. Deputy Collector Land Reform, Munger.
4. Anchal Adhikari Haveli Kharagpur, Munger.
5. Sarad Kumar Singhanian, Son of Late Raj Kumar Singhanian,
6. Ajay Kumar Singhanian.
7. Shiva Kumar Singhanian, Both sons of Late Babulal Singhanian,
All residents of Mohalla- Sujaganj, P.S.- Kotwali, Distt.- Bhagalpur at
present of 119/E Cerny Street, 1st Floor, Kolkata- 5.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Malendu, Advocate
For the Respondent/s : Mr. Raj Kishore Roy -GP 18

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State respondents.

The petitioners have filed the instant application for
the following reliefs:

*“i. For initiating the proceeding u/s 48D of the Bihar
Tenancy Act (in short B.T. Act), for which petitioner
has already filed an application of 20.9.16 (Anx-5) on
proper format*



ii. For directing the state respondents especially respondent no.4 to dispose of the application (Anx-4) in accordance with law which is pending before him since long under section 48 D of the B.T. Act. within framed time as the petitioners fulfill all the prescribed criteria u/s 48 C and u/s 48 D of the Act.

l ii. For directing the respondents to open of Zamabandi in the name of the petitioners, after granting 48 D status of raiyat and accordingly grant rent receipt in their favour according to the provision of the B.T. Act after holding the petitioners as occupancy raiyat as provided under section 48D of the Bihar Tenancy Act.

iv. Directing the respondents to grant/hold the status of raiyat to the petitioner as provided u/s 48 D of the B.T. Act.

v. Any other relief and reliefs which the petitioner may be found entitled to”

It is the case of the petitioners that inspite of the application of the petitioners under section 48D of the B.T. Act pending before the Circle Officer for the last almost 8 years, the same has not been disposed of forcing the petitioners to approach this Court for the relief prayed hereinabove.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, it is directed that the petitioners may file fresh application under section 48D of the B.T. Act before the Circle Officer,



Haveli, Kharagpur, Munger (respondent no.4).

In case such an application is filed within a period of two months from today, the respondent no. 4 shall proceed in accordance with law, hear all the necessary parties and pass order disposing of the application at the earliest preferably within a period of four months.

This application stands disposed of.

(Partha Sarthy, J)

Spd/-

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