

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7088 of 2018

-
-
1. Dinesh Mandal Son of Rameshwar Mandal.
 2. Sahansah Mandal @ Sahansah Kumar, Son of Upendra Mandal
Both Resident of Village-Madhwa, P.O. P.S. Haweli Kharagpur at Present
Ramankabad, P.S. Ramanakabad. 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 Singhania, Son of Late Raj Kumar Singhania
6. Ajay Kumar Singhania
7. Shiva Kumar Singhania
Both Sons of late Babulal Singhania
All Resident 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. Rishi Raj Sinha, SC 19

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-05-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State respondents.

2. 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-2)*



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.

iii. 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”

3. 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 for hereinabove.

4. 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 a fresh application under section 48D of the B.T. Act before the Circle Officer, Haveli, Kharagpur, Munger (respondent no.4).

5. 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 dispose of the application at the earliest preferably within a period of four months.

This application stands disposed of.

(Partha Sarthy, J)

Spd/-

U			
---	--	--	--

