

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5978 of 2018

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Yogendra Mandal @ Yogendra Singh @ Jogendra Mandal Son of Late
Phushan Mandal, Resident of Village-Madhwa, P.O.P.S.-Ramankbad 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, Trivveniganj, Munger.
5. Sarad Kumar Singhania, Son of Late Raj K Umar 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

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Appearance :

For the Petitioner/s : Mr. Kumar Malendu, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC 25

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-04-2023 Heard learned counsel or the petitioner and learned
counsel for the respondents.

The petitioner has filed the instant application for the
following relief(s) ;

*“ 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 on 20.9.16 (Anx-) 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.

iii. For directing the respondents to open of Zamabandi in the name of the petitioner, after granting 48D status of raiyat and accordingly grant rent receipt in their favour according to the provision of the BT. Act after holding the petitioners as occupancy raiyat as provided under section 481 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.

Learned counsel for the petitioner submits that although several prayer has been made in paragraph no. 1 of the petition, as quoted herein above, he is confining the instant application for direction to the Circle Officer, Trivveniganj, Munger (respondent no. 4) for disposal of the application dated 20.9.2016 filed by the petitioner in respect of acquisition of raiyati land under section 48D of the Bihar Tenancy Act. A copy of the application dated 20.9.2016 has been brought on record as Annexure-5 to the writ application.

Having heard learned counsel for the parties, if not



already disposed of, the Circle Officer, Trivveniganj, Munger (respondent no. 4) is directed to dispose of the application dated 20.9.2016 filed by the petitioner under section 48D of the B.T. Act in accordance with law within a period of four months of receipt of a copy of this order.

It may be clarified that this Court has not gone into the merits of the case of the parties and the respondent no. 4 will decide the said application based on the materials available on its record.

This application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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