

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12212 of 2015

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Ram Udgar Sah Son of Late Lakhan Sahu, Resident of Village- Ber
Dharshyam, Tola Lakshminiyan, P.S.- Kusheshwar Ashtan, District-
Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Darbhanga
3. The Sub-Divisional Officer, Biraul, Police Station- Biraul, District-
Darbhanga
4. The Circle Officer, Kusheshwar Ashtan, P.S.- Kusheshwar Ashtan, District-
Darbhanga
5. The Bihar Bhoodan Yagna Committee through its Chairman.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jagdish Prasad Singh, Advocate
For the State	:	Mr. Santosh Kumar Jha, GP-3
For the B.B.Y.C.	:	Ms. Alka Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 18-09-2023 Learned counsel for the petitioner, learned counsel for

the State and learned counsel for the Bihar Bhoodan Yagna

Committee appeared.

2. The present writ petition has been filed seeking

direction to the respondents to distribute or deprive for

dispossess having substantive title of the petitioner from his

purchased lands appertaining to Khata No. 75 and 112, Khesra

No. 1304, 1312 respectively, old Khata No. 384, Khesra No.

2211 (N) area 1 bigha 10 dhur situated in Mouza-Ber

Dharshyam under Kusheshwar Asthan Anchal

3. Learned counsel for the petitioner submits that petitioner is the purchaser of the land in question through registered sale deed. Jamabandi has been created. Counsel further submits that name of petitioner's vendor is present in revisional survey and records of rights and petitioner has received a notice about partitioning of aforesaid plot. Counsel further submits that petitioner is in the possession of the land. In this regard a public petition was also filed before Circle officer but subsequently petitioner got knowledge that the said land is the subject matter of Bhoodan Yagna Committee. Counsel further submits that even for a sake of argument that the said land is subject to Bhoodan Yagna Committee then also for removing the petitioner from his unlawful possession, there is a specific provision as laid down under Section 22 and 22A of Bihar Bhoodan Yagna Act, 1954 [Act No.22 of 1954].

4. As such, respondents are restrained from disturbing the petitioner without following the due procedure as laid down in the Bihar Bhoodan Yagna Act, 1954. It is made clear that petitioner shall participate in the proceeding initiated under the said Bihar Bhoodan Yagna Act, 1954, if initiated by the Revenue officials.

5. With the aforesaid direction, the present writ

petition is disposed off.

(Dr. Anshuman, J.)

ravishankar/-

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