

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5992 of 2023

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Bidhan Chandra, Son of Arjun Prasad Ray, Resident of village - Mukhtarpur,
Ward no.- 12, P.S.-Dalsinghsarai, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Collector -cum- District Magistrate, Samastipur.
4. The Additional Collector -cum- Additional District Magistrate, District-Samastipur.
5. The Sub-Divisional Officer Dalsinghsarai, District Samastipur.
6. The Deputy Commissioner Land Reforms, Dalsinghsarai, District-Samastipur.
7. The Block Development Officer, Block- Vidyapatinagar, District-Samastipur.
8. The Circle Officer, Circle- Vidyapatinagar, District- Samastipur.
9. The District Sub-Registrar Prohibition, Excise and Registration Department, District - Samastipur.
10. The Sub-Registrar, Prohibition, Excise and Registration Department, Dalsinghsarai, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Advocate
For the Respondent/s : Mr. Ajay, GA-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 21-07-2023

Heard learned counsel for the parties.

2. The petitioner has filed the instant Public Interest

Litigation for the following relief(s):-



“1. a) To order an inquiry by any Central Agency or any other independent body, into the commissions and omissions on part of the Respondent Authorities in connivance with the ‘Land Mafia’ involved in illegal grabbing of lands, already notified under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act 1961, within the Sub-Division- Dalsainghsarai, District- Samastipur which were meant to be allotted the said lands after conclusion of the ceiling proceedings.

b) To monitor such inquiry by any Central Agency or any other independent body in order to shield such inquiry from being influence by the Authorities involved in illegal grabbing of lands, already notified under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act 1961, within the Sub- Division- Dalsainghsarai, District- Samastipur.

c) For a direction upon the concerned Respondent Authorities to curb the illegal activities of the ‘Land Mafia’ involved in illegal grabbing of lands, already notified under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act 1961, within the Sub-Division- Dalsainghsarai, District- Samastipur, by taking appropriate preventive and corrective measures.

d) To pass any other order/orders in shape of a consequential relief to which the Petitioner may be found to be legally entitled to in the facts and circumstances of the instant case at hand.”

3. Having heard learned counsel for the parties as also



from the contents of the writ petition it transpires that on an earlier occasion, the petitioner had moved this Court by filing CWJC No. 1540 of 2021 praying for a direction upon the respondent nos. 3 to 7, therein, for restraining further sale and registration of sale deeds in relation to the plots of land notified under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, for which Land Ceiling Case no. 40/1973-74 is already pending and the Collector is the custodian of the aforesaid lands. The writ application was disposed of by this Court by order dated 03.03.2021, directing the respondents to decide the representation of the petitioner for redressal of his grievances.

4. A counter affidavit has been filed on behalf of respondent nos. 3 to 10, sworn by the Deputy Collector Land Reforms, Dalsinghsarai, Samastipur stating therein that as soon as the illegal transaction of the land notified under Land Ceiling Case no. 40/1973-74 came to the knowledge of the Additional Collector, Samastipur, steps were taken, a report was submitted by the Circle Officer, Vidyapatinagar, District- Samastipur and on the basis thereof, a Misc. Ceiling Case no. 1/2021-22 was initiated and the sale deeds by which certain lands were transferred were declared null and void vide order dated



19.07.2021 of the Additional Collector, Samastipur.

5. No response has been filed by the petitioner to the said counter affidavit of the respondents.

6. Having gone through the material on record and especially the contents of the counter affidavit referred to herein above, which categorically states about the sale deeds having been declared null and void in Misc. Ceiling Case no. 1/2021-22, the Court is satisfied that appropriate steps have been taken by the respondents in protecting the lands which are subject matter of the ceiling proceedings.

7. In view of the aforesaid facts, nothing remains in the instant case filed in the nature of a Public Interest Litigation and the same is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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AFR/NAFR	
CAV DATE	N/A
Uploading Date	01.08.2023.
Transmission Date	N/A

