

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16505 of 2015

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Shakuntala Devi W/o Sri Sita Ram Paswan Resident of Muhalla Bhandar
Chowk- Kathalwari P.S.- L.N. Mithila University Campus, District-
Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director Land Records and Survey, Govt. of Bihar, Patna.
3. The Collector, Darbhanga.
4. The Assistant Survey Superintendent, Municipal Survey of Act Darbhanga.
5. The Sub-Divisional Officer, Darbhanga.
6. The Anchal Adhikari, Sadar Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Narayan, Adv.
	:	Mr. Deepak Kumar, Adv.
For the Respondent/s	:	Mr. Rohitabh Das. AC to AAG13

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
challenging the order dated 30.07.2008 decided by the Assistant
Survey Superintendent, Darbhanga (respondent No.4) on an
application filed under Section 9 of the Bihar & Orissa
Municipal Survey Act, 1920.

3. Counsel for the State raised preliminary objection
that under the statute, namely, the Bihar & Orissa Municipal
Survey Act, 1920, an objection is subject to challenge in appeal

under Rule 15(2) of the Bihar & Orissa Municipal Survey Rules
which states as follows:-

*Section 15(2):- An appeal against the order of
the Superintendent of Survey disposing of an objection
under rule 9 shall lie to the Collector, or if the Collector
is the Superintendent of Survey to the Commissioner. The
appeal shall be presented within one month of the date of
the order appealed against.*

5. In this view of the matter, the petitioner is directed
to prefer appeal before the Collector, Darbhanga within 4
weeks' from today and the Collector, Darbhanga upon filing the
appeal by the petitioner, shall decide the appeal within 3 months
from the date of appearance of parties concerned.

6. With the aforesaid direction, the present writ
application is hereby disposed of.

7. Delay, if any, is directed to be condoned.

(Dr. Anshuman, J.)

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