

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8875 of 2023

1. Ram Narayan Ray Son of Agam Lal Ray, Resident of Village- Sanpataha (Kalimunga), Block and P.S.- Saraigarh Bhapatiyahi, District- Supaul.
2. Satish Kumar Son of Devanand Ray, Resident of Village- Parsamadh, Block and P.S.- Kishanpur, District- Supaul.
3. Mahendra Ray Son of Late Thakai Ray, Resident of Village- Laxmia, Block and P.S.- Kishanpur, District- Supaul.
4. Bhagwat Ray Son of Late Khusilal Ray, Resident of Village- Kalimunga, Block and P.S.- Kishanpur, District- Supaul.
5. Ravindra Ray Son of Kulanand Ray, Resident of Village- Kalimunga, Block and P.S.- Kishanpur, District- Supaul.
6. Siyaram Ray Son of Late Faudar Ray, Resident of Village- Kalimunga, Block and P.S.- Kishanpur, District- Supaul.
7. Bechu Paswan Son of Late Lakhan Paswan, Resident of Village- Kalimunga, Ward No.3, Block and P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Supaul.
4. The Additional Collector, District- Supaul.
5. The Deputy Collector, Land Reforms, Kishanpur, District- Supaul.
6. The Circle Officer, Kishanpur, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Respondent/s : Smt. Binita Singh, SC-28

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-06-2023

The Public Interest Litigation is filed for seeking
the relief of restraining the Circle Officer, Kishanpur, District-



Supaul, the Respondent No. 6 from settling any land or creating *Jamabandi* and from issuance of any rent receipts falling within the jurisdiction of Kishanpur anchal/block, District-Supaul. It is alleged that the recent survey *Khatiyani* is not final and is also repealed in District-Supaul, but the Respondent-Circle Officer is carrying on with the settlements creating new *Jamabandi* and issuing land revenue receipts. It is alleged that this is causing difficulty and loss to the land owners (Raiyats) like the petitioners and several other residents.

Obviously, the claim is not in public interest since the petitioners allege that the settlements are affecting them personally. The roping in of other residents is only a ruse to maintain a Public Interest Litigation. The petitioners, if affected by any settlement made by the 6th respondent can take appropriate remedies against him. The petitioners also do not speak of any specific settlement made of the lands on which they have title or possession.

We also notice that not even one instance of a wrong settlement has been specified by the petitioners.

We find the writ petition to be a clear abuse of process and not maintainable on the averments made, as a Public Interest Litigation and the reliefs not permissible under



the extraordinary jurisdiction.

We find no reason to entertain the writ petition and
dismiss the same in *limine*.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

aditya/-

AFR/NAFR	
CAV DATE	
Uploading Date	28.06.2023
Transmission Date	

