

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12736 of 2015

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Baby Devi wife of Binod Kumar, Resident of village and P.O.- Chausa P.S.
Buxar M, District- Buxar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Divisional Commissioner, Patna
3. The Collector, Buxar
4. The Deputy Collector, Land Reforms, Buxar
5. The Circle Officer, Chausa, District- Buxar
6. Hira Lal Singh, son of Shivmuni Singh, Resident of Village- Kathtar, at present Chausa, P.S.- Buxar M, Anchal- Chausa, District- Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.
For the Respondent/s : Mr. Manikant Mishra

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for setting aside the order dated 18.03.2015 passed by Bihar Land Tribunal in B.L.T. Case No. 500 of 2014 by which the entire proceeding of Grihasthal Bandobasti Case No. 05 of 2013-14 has been quashed which is completely illegal and without jurisdiction as per the contention of the petitioner due to the reason that parcha has been issued in favour of the petitioner regarding settlement of land appertaining to Khata No. 696, Plot No. 1617 of 2221

for an area 3 decimal situated in Mauza- Chausa has been issued only after public notice.

3. Counsel for the State submits that the Bihar Land Tribunal has set aside the entire proceeding of settlement only and only on one ground that the general notice issued has not been treated by the tribunal as notice to the petitioner of B.L.T. case.

4. Upon going through the contention made in paragraph-15 of the order of Bihar Land Tribunal, this Court is of the opinion that the reason assigned that the general notice was issued for inviting objection against settlement but the said general notice was basically not a notice inviting objection in the matter of settlement, but it was a public notice intimating to the public at large that on a particular date, the land in question went to measure for the purpose of settlement, whereas the actual contention of law is that before initiation of proceeding of settlement of land in favour of anyone, the notice has to be issued and this is the basic deficiency in the proceeding of settlement of land.

5. In this view of the matter, this Court finds that there is violation of principle of Natural Justice and hence, this Court is not ready to interfere in the order passed by B.L.T and the order passed by Bihar Land Tribunal in B.L.T. Case No. 500 of

2014 is hereby approved and the matter is remanded back
before the Circle Officer, Chausa, Buxar.

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

(Dr. Anshuman, J.)

prakashmani/-

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