

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8396 of 2023

1. Shobha Devi, Wife of Prahlad Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, District- Muzaffarpur.
2. Shamvati Devi, Wife of Manjelal Ram Resident of Village- Rampur, Mahiath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
3. Manju Devi, Wife of Hitlal Ram Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
4. Upendra Ram, Son of Late Jagdish Ram, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
5. Ramchndara Ram, Son of Late Jagdish Ram, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
6. Phulwati Devi, Wife of Late Dukhit Ram, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
7. Md. Ibrahim, Son of Late Md. Mannu Miya, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
8. Dharmendra Kumar, Son of Prahlad Sahni Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
9. Shikendra Kumar, Son of Prahlad Sahni Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
10. Yashoda Devi, Wife of Shiv Kumar Ram, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
11. Birendra Sahni, Son of Bathu Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
12. Pramod Sahni, Son of Bathu Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
13. Md. Mojibul Nisha, Wife of Md. Yunus, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
14. Nusarat Jaho Shamashi, Wife of Md. Mumtaj Ali, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
15. Sakila Khatoon, Wife of Md. Yunus, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
16. Md. Ikbali, Son of Late Md. Izharul, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
17. Lalita Devi, Wife of Upendra Thakur Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
18. Bhuneshwar Sahni, Son of Jaimangal Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
19. Shushila Devi, Wife of Sakdev Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
20. Rekha Devi, Wife of Premlal Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.



21. Ajay Kumar Ram, Son of Late Nagendra Ram, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
22. Rajkumar Paswan, Son of Luga Paswan, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
23. Chandeshwar Ram, Son of Jugeshwar Ram, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
24. Meena Devi, Wife of Vishwanath Sah, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
25. Indu Devi, Wife of Naveen Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
26. Gujiya Devi, Wife of Late Ramchandra, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
27. Anita Devi, Wife of Dhanshayam Sahni, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
28. Ranjeet Paswan, Son of Ramsundar Paswan, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
29. Md. Yushuf, Son of Md. Imrayil, Resident of Village- Simra, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
30. Tuntun Ram, Son of Late Janak Ram, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.
31. Promod Ram, Son of Late Janak Ram, Resident of Village- Rampur, Mahinath, P.O.- Sirikant, P.S.- Piar, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Zonal Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Muzaffarpur.
4. The Sub-Divisional Magistrate, East Muzaffarpur, Muzaffarpur.
5. The Deputy Collector, Land and Reforms, East Muzaffarpur, Muzaffarpur.
6. The Circle Officer, Bandara Block, Muzaffarpur.
7. The Circle Inspector, Bandara Block, Muzaffarpur.
8. The Halkakarmchari, Bandara Block, Muzaffarpur.
9. The Anchal Amin, Bandara Block, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Nirbhay Prashant, Advocate
For the Respondent/s	:	Mr.Md. Khurshid Alam (AAG12)
		Ms. Nutan Sahay, AC to AAG-12



CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 11-09-2023

Heard learned counsel for the petitioners and learned counsel for the State.

2. Learned counsel for the petitioners submits that the petitioners are the *basgit parcha* holders allotted to them in between the year 2003-2011, but possession for the said land has not been provided to them and due to this reason, they have filed a case under Section 9 of the Bihar Land Disputes Resolution Act, 2009 (Act 4 of 2010). In the said case, in stead of compliance of Section 9 of the Act of 2009 by the competent authority/the Deputy Collector Land Reforms, the case of the petitioner has been referred to the Circle Officer who has no jurisdiction to pass any order under the Act of 2009.

3. Learned counsel for the State submits that the petitioners have rightly filed an application before the Deputy Collector Land Reforms vide Annexure P/10 and he ought to have passed order on the representation of the petitioner in compliance of Section 9 of the Act of 2009.

4. In this background, this writ petition stands disposed of directing the petitioners to file a fresh application before the competent authority, i.e. Deputy Collector Land



Reforms under Section 9 of the Act of 2009 whereupon the Deputy Collector Land Reforms is directed to pass a reasoned and speaking order on the application filed by them under Section 9 of the Act of 2009 upon hearing all the concerned, as expeditiously as possible.

5. With the above observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	12/09/2023
Transmission Date	NA

