

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11099 of 2019

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Ramdeo Thakur S/o Late Saryug Thakur Resident of Village-Dudhail,P.S.
Bisfi,Dist.-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary,Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga
3. The District Magistrate-cum-Collector, Madhubani
4. The Deputy Collector Land Reforms, Benipatti (Madhubani)
5. The Circle Officer, Bisfi (Madhubani)
6. Digambar Jha, S/o Kamala Kant Jha, Resident of Village-Dudhail, P.S. Bisfi, Dist.-Madhubani
7. Ramchandra Paswan, S/o Bachcha Paswan, Resident of Village-Dudhail, P.S. Bisfi, Dist.-Madhubani
8. Manoj Paswan, S/o Ramchandra Paswan, Resident of Village-Dudhail, P.S. Bisfi, Dist.-Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ratanakar Jha, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha, S.C-19
		Mr. Birendra Prasad Singh, A.C to S.C-19

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 04-04-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The petitioner has filed the instant application for the
following relief(s):

*“(i) To issue an appropriate orders,
directions including a writ preferably in the nature
of mandamus commanding and directing respondent
no. 4, D.C.L.R., Benipatti to implement and execute
the order dated 17.03.2012 passed by him whereby*



and whereunder he has dismissed the case no. 298/2012-13 filed by the respondent no. 6 under Bihar Land Dispute resolution Act.

(ii) To direct the respondent no. 05 to get the aforesaid land of petitioner demarcated in view of order dated 17.03.2012 passed in Case No. 151/2011-12 under Bihar Land Dispute Resolution Act 2009 by the respondent no. 4.

(iii) To direct the respondent no. 5 to get the land in question be demarcated taking into the consideration that order dated 17.03.2012 passed by respondent no. 4 has become absolute and final as such private respondents have not preferred appeal against said order.

(iv) To any other relief/s to which the petitioner may found entitled in the facts and circumstances of the case.”

Referring to the counter affidavit filed on behalf of respondent nos.3 to 5, learned counsel for the respondents submits that the Anchal Amin after receiving the Memo no.787 demarcated the land in question after serving notices to the concerned parties and submitted his report on 26.12.2012 to the C.O., Bisfi, who in turn has forwarded the report on 26.12.2012 to the D.C.L.R, Benipatti. As such, it is submitted that the order dated 17.3.2012 passed in B.L.D.R Case no.151 of 2011-12 has been complied with.

Paragraph nos.9 and 10 of the counter affidavit of



respondent nos.3 to 5 are quoted herein below for ready reference :

“9. That it is further respectfully submitted that the Anchal Amin after receiving the Memo No. 787 demarcated the land in question after serving notices to the concerned parties and submitted his report on 26.12.2012 to the C.O., Bisfi.

10. That it is further respectfully submitted that the C.O., Bisfi sent to the report of the Anchal Amin dated 26.12.2012 to the D.C.L.R., Benipatti for needful. It is further submitted and that the C.O., Bisfi has already complied with the order dated 17.03.2012 passed in B.L.D.R. Case No. 151/11-12 passed by the D.C.L.R Benipatti. And further it is stated that measurement and demarcation was done in presence of both the parties and after measurement and demarcation both the parties of the proceeding signed over the report in token of their satisfaction.”

In view of the specific statement made in the counter affidavit, relevant portion of which is quoted herein above, the Court is of the opinion that nothing remains in the writ application so far as the petitioner is concerned.

The writ application stands disposed of.

If the petitioner is still aggrieved by any of the action or non-compliance of any of the direction to the respondent authorities passed in the B.L.D.R Case etc., he will be at liberty



to bring it to the knowledge of the respondent authorities by way of representation and if such a representation is filed, the authority concerned will take up the same and proceed in accordance with law.

(Partha Sarthy, J)

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