

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8564 of 2023

1. Sundeshwar Rai Son of Ram Ishwar Rai, Resident of Village- Dahila Patasharma, Anchal and Police Station- Gaighat, District- Muzaffarpur.
2. Mithilesh Rai Son of Ram Prasad Rai, Resident of Village- Dahila Patasharma, Anchal and Police Station- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of land Reforms and Revenue, Patna, Bihar.
3. The District Magistrate-cum-collector, District- Muzaffarpur.
4. The Circle Officer, Gaighat, District- Muzaffarpur.
5. The Public Grievance Redressal Officer (East), Muzaffarpur.
6. Dr. Ram Pavitra Rai Son of Ramashish Rai, Village- Dahila Patasharma, Anchal and Police Station- Gaighat, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Singh, Advocate
For the Respondent/s : Mr. Sajid Salim Khan (SC-25)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 24-06-2023 The petitioner is before us alleging that the Sub-Divisional Public Grievance Redressal Officer, East Muzaffarpur in Case No. 514110113122203333 rejected his claim with respect to a property. The contention raised before the Public Grievance Redressal Officer was that a particular



piece of land was encroached. The authority, after having examined the records, as produced by the Revenue, found that it was not a Government land and that it was settled in the name of the private parties. The petitioner himself alleges that the 6th respondent was responsible and that he had ensured that records are created in his name and in the name of his children, but none of them are impleaded in the present petition. Even if they are minors, they should be impleaded and represented by their guardian.

The specific claim of the petitioner before the Public Grievance Redressal Officer was unsustainable. The petitioner admits that the lands were obtained by the 6th respondent in a land settlement case of 2002-03, which order has been passed without looking into the real facts that they are in fact land lords and not land less people. Hence, the challenge before the Public Grievance Redressal Officer was to the earlier order passed by the Land Settlement Officer; which could not have been maintained before the Public Grievance Redressal Officer. In any event, the Public Grievance Redressal Officer has examined the Revenue records as produced by the Circle Officer and found that the lands have been settled in the name of the individuals which



order, as of now, has become final.

In such circumstances, we find no reason to entertain this public interest litigation, but leave the petitioner to pursue his remedies, if there are any, with just exceptions.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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