

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14481 of 2021

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Rabindra Kumar Srivastava Son of Late Jagat Naryan Prasad, Resident of
Village - Jaisingpur, P.S.- Turkaulia, District - East Champaran, Motihari.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Animal and fishery department of the State of Bihar.
2. The Collector, of the district East Champaran, Motihari.
3. The Addl. Collector, East Champaran Motihari.
4. The Sub-Divisional, Public grievance Redressal Officer, Motihari.
5. The District Fishery Officer, East Champaran, Motihari.
6. The Circle Officer, Anchal Motihari, District - East Champaran, Motihari.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Respondent/s : Mr. Raj Kishore Roy (Gp18)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-10-2023 Heard learned counsel for the parties.

2. This writ application has been filed for quashing the order dated 19.07.2019 passed by the Additional Collector, East Champaran, Motihari and commanding the respondent authorities either to grant rent receipt or grant compensation of the land in question.

3. At the very outset, learned counsel for the State raises preliminary objection to the effect that an alternative remedy is available to the petitioner by way of Revision under Section 9 of the Bihar Right to Public Grievance Redressal Act, 2015 which reads as:



“The Public Grievance Redressal Officer or any other public authority or first appellate authority aggrieved by an order of the second appellate authority in respect of imposing of penalty under this Act, may make an application for revision of the order to the officer or authority nominated by the State Government within a period of sixty days from the date of that order. The nominated officer or authority shall dispose of the application in accordance with the prescribed procedure:

Provided that the officer or authority nominated by the State Government may entertain an application after the expiry of the period of sixty days but not exceeding seventy five days, if he is satisfied that the applicant was prevented by sufficient cause from filing the appeal in time.”

4. Learned counsel for the petitioner does not dispute the above proposition.

5. In view of the aforesaid submission, let the petitioner file afresh application before the competent authority for adjudication of the matter, within a period of six weeks from the date of production/receipt of copy of this order.

6. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.



7. Writ petition stands disposed of with the aforesaid directions.

(Prabhat Kumar Singh, J)

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