

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12702 of 2023

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1. Gram Kisan Sangharsh Morcha, Village- Nachaniya (Now Changed Name- Kashipuri) through its President Rajendra Pandey, Office- At Village- Nachaniya (Now Changed Name- Kasipuri), P.S.- Rajpur, District- Rohtas.
 2. Rajendra Pandey, Son of Late Tilakdhari Pandey Resident of Village- Nachaniya (Now Changed Name- Kashipuri), P.S.- Rajpur, District- Rohtas, At Present Residing at 72/5, I.A.S. Colony, Beli Road, Danapur, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Director, Consolidation (Directorate), Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The Deputy Director, Consolidation, Rohtas at Sasaram.
6. The Consolidation Officer, Nasariganj, District- Rohtas at Sasaram.
7. The Circle Officer, Rajpur, District- Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 05-09-2023

1. Heard learned counsel for the parties.

2. The instant Public Interest Litigation has been filed by the two petitioners, the petitioner no.1 being the *Gram Kisan Sangharsh Morcha* and the petitioner no.2 who describes himself to be the President of the petitioner no.1. The petitioners state that they have no direct or indirect interest in the matter.



3. The averment made in the writ application is that consolidation proceeding which commenced in the State of Bihar in the year 1974 concluded without any objection in 1976. Certificates have been issued to the *raiya*s including that of village Kashipuri in Circle Nasariganj in District Rohtas. It is contended that inspite of the proceedings having ended, as contemplated under section 26A of the Consolidation Act, steps have not been taken by the authorities and as such the instant application has been filed for directing the respondents to provide Chak Map to the *raiya*s of the revenue village Nachaniya (now named as Kashipuri) and for a further direction for issuance of revenue rent receipts as per the consolidation proceedings and final publication of Chaks.

4. Having heard learned counsel for the parties and having perused the averments in the writ application, the Court is of the opinion that there is no public interest involved in the contention made by the petitioners. In fact, if any person is aggrieved by the respondents not having taken steps as they are required to take as per the provisions of the Act, the same would give rise to an individual cause of action for which the aggrieved would be required to file an appropriate application before the authority concerned, followed by a writ application,



if so required.

5. In the facts and circumstances of the case, a Public Interest Litigation will not be maintainable. The application is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	08.09.2023.
Transmission Date	N/A

