

GEETA DEVI W/O GANGA PRASAD SAH, R/O VILLAGE- NIRMALI,
P.S.- NIRMALI, DISTRICT- SUPAUL.

VERSUS

1. THE STATE OF BIHAR THROUGH CHIEF SECRETARY, GOVT. OF BIHAR, PATNA.
2. THE DISTRICT MAGISTRATE, SUPAUL.
3. THE DISTRICT PRESIDENT, BIHAR BHOODAN YAGYA COMMITTEE, PATNA.
4. THE KARYALAY MANTRI, DISTRICT BHUDAN YAGYA COMMITTEE, SUPAUL.
5. THE EXECUTIVE OFFICER, NAGAR PANCHAYAT, NIRMALI, SUPAUL.
6. THE S.D.O. NIRMALI, SUPAUL.
7. THE L.R.D.C, NIRMALI, SUPAUL.
8. THE CIRCLE OFFICER, NIRMALI, SUPAUL.

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar , Advocate
		Mr. Ashok Kumar , Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha (Sc 19)
For Bhoodan	:	Alka Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-12-2023 Heard learned counsel for the parties.

2. This writ petition has been filed for the following reliefs:

(I) . For the issuance of direction to respondents
authorities to eliminate the illegal encroachment from the



land of the petitioner bearing Khata no. 291, Plot no. 647/86, area 0-0- 17 dhoor donated by the Bhoodan Yagya Committee, Nirmali, Supaul, which has been illegally and forcefully encroached and erected rooms by the Executive Officer, Nagar Panchayat, Supaul.

(II). For setting aside the order dated 22-2-1018 passed by the learned Competent Authority (L.D.N) -cum- L.R.D.C. Nirmali, Supaul in Case no.3/2017-18.

(III) . For further direction to the Circle Officer, Nirmali to remove the illegal encroachment from the from the Executive Officer, Nagar Panchayat, Nirmali, Suapul, which has been forcibly grabbed the land in question of the Petitioner, as the in question has been allotted to the Petitioner by the Bhoodan Yagya Committee and the same has been mutated in the name of Petitioner vide Mutation (Zamawandi) no.- 6928 by the learned DCLR on 14-12-2016 pursuant to the order passed in the Bhudan Rent Fixation Case No. 10/2015-16.

3. After some arguments, petitioner seeks permission to withdraw this writ application with the liberty to file an application before the Commissioner of the



Division under Section 14 of the Bihar Land Disputes Resolution Act, 2009, for redressal of his grievance as made out in the present writ application.

4. The section 14 of The Bihar Land Disputes Resolution Act, 2009 reads as follows:

14. Appeal before the Commissioner.—

(1) Any party aggrieved by the order passed by the competent authority may file an appeal before the Commissioner within whose jurisdiction the order has been passed, within a period of thirty days from the date of the order.

Provided that the Commissioner may receive and dispose off the appeal beyond the period of thirty days by extending it by another thirty days if he is satisfied that there was sufficient cause for not filing the appeal within thirty days.

(2) On receipt of appeal, the Commissioner shall immediately cause notice to be issued to the contesting parties allowing 15 days time for



appearance and submit reply to the appeal, if any.

(3) The Commissioner shall thereafter proceed to hear the appeal and may pass such order allowing, modifying, reversing or affirming the order passed by the competent authority as he may deem fit in accordance with law.

(4) The order passed by the Commissioner shall be final and no further appeal or revision shall lie before any other authority.

5 . In the event, such representation is filed before the concerned authority within a period of 8 weeks from today, the same shall be disposed of in accordance with law .

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. This writ petition is accordingly disposed of with
the aforesaid observations.

(Prabhat Kumar Singh, J)

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